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## Appeal Decision

Site visit made on 24 June 2019

**by T J Burnham BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 11<sup>th</sup> July 2019**

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**Appeal Ref: APP/A5840/Z/19/3220560**

**24 Peckham Rye, London SE15 4JR**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Mr Richard Page (Insite Poster Properties Ltd) against the decision of the Council of the London Borough of Southwark.
  - The application Ref 18/AP/3268, dated 24 September 2018, was refused by notice dated 4 December 2018.
  - The advertisement proposed is erection of an advertising display measuring 6m wide by 3m high.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The advertisement has been described in different terms on the application form, decision notice and appeal form. For clarity I have adopted the description from the application form 'erection of an advertising display measuring 6m wide by 3m high' as it accurately and succinctly describes the advertisement proposed. The National Planning Policy Framework (NPPF) has been updated in 2019 since the original decision was issued and I have considered only the updated version in relation to this appeal.

### Main Issue

3. The main issue is the effect of the advertisement on amenity.

### Reasons

4. Advertisements are subject to control in the interests of amenity and public safety, and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic or architectural interest.
5. The advertisement would be placed at second floor level on the north facing side elevation of 24 Peckham Rye which is a three storey building located on the junction of Nigel Road and Peckham Rye. The elevation currently hosts a low level fascia sign with artwork below.

6. The character of the area is mixed commercial and residential surrounding the busy Peckham Rye. Whilst advertisements are a common feature in the immediate vicinity, they are generally limited to ground floor and street level.
7. The proposal would introduce an advertisement at a high level. These are not a common feature in the locality, and its prominence would be increased due to its large size.
8. Consequently, the advertisement would introduce high level visual clutter and would be a large and discordant intrusion into the street scene which would be harmful to visual amenity.
9. The site sits outside of, but immediately adjacent to the Rye Lane Conservation Area.
10. Due to the proposed position of the advertisement flush with the front elevation of the building, its proximity to the first-floor window and its proportions, attractive contrasting brick detailing would be obscured. The upper elevation currently makes for a positive backdrop to the Conservation Area and by obscuring this detailing the advertisement would cause harm to the visual amenity of the area and would fail to preserve or enhance the character and appearance of the Conservation Area. Whilst the harm would be less than substantial, in line with Paragraph 196 of the NPPF I do not consider there to be any public benefit which would outweigh this harm.
11. A grade II listed telephone kiosk is located close to the site in front of the White Horse Public House. I do not consider that the advertisement would be harmful to the setting of the listed telephone kiosk as this is a small structure which is already viewed against the backdrop of a large amount of ground floor and street level advertising, art work and graffiti. However, the harm identified in relation to other matters remains.
12. Overall, for the reasons set out above, the advertisement would have a harmful effect on visual amenity and would conflict with Policy 3.23 of the Southwark Plan (2007) which seeks to protect amenity and so is material in this case. For the same reason the proposal would be contrary to the provisions of paragraph 132 of the NPPF.

### **Conclusion**

13. For the reasons above, the appeal is dismissed.

*TJ Burnham*

INSPECTOR