



Appeal Decision

Site visit made on 20 May 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 20 June 2025.

Appeal Ref: APP/C5690/W/25/3358891

Land outside 304-306 New Cross Road, Lewisham, London SE14 6AF

- 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 Thomas Johnston (New World Payphones) against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/24/137766.
 - The development proposed is the removal of existing telephone box followed by the installation of 1 no. new communications Kiosk with integrated advertising display
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the National Planning Policy Framework (the Framework) and the National Planning Practice Guidance (PPG) confirm that advertisements should be subject to control only in the interests of amenity and public safety. I have taken into account the provisions of the development plan, in so far as they are material, and any other relevant factors.
3. As the proposal is in a conservation area, I have also had regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Deptford Town Hall Conservation Area (the 'CA').

Main Issue

4. The parties agree that the proposed advertisement would not be detrimental to public safety. Therefore, the main issue is the effect of the advertisement on amenity, including the CA and Grade II* listed building Deptford Town Hall.

Reasons

5. The application concerns an existing telephone box located on New Cross Road, outside Nos. 304–306. It seeks consent for an integrated advertising display to be attached to the rear of a new telephone communications kiosk, approved under a separate application (DC/24/137765) to replace the existing box. The site is adjacent to bike railings, near to the carriageway and bus lane, but leaves the majority of the wide pavement unobstructed for pedestrians. The surrounding area is mixed-use in character, with commercial premises at ground floor level and residential uses above.

6. Regulation 2 defines amenity as including visual amenity, while Regulation 3(2) states that factors relevant to amenity include the general characteristics of the locality, such as the presence of any feature of historic, architectural, cultural or similar interest.
7. The area of the CA is recognised as one of the most historically important areas of Deptford. The creation of the Borough of Deptford in 1895 established it as a centre of local life. The area developed around a major road junction, which influenced its layout and led to the establishment of key buildings such as Deptford Town Hall. As a settlement located at the meeting of three roads, the pattern of these major routes has clear historical origins which has not changed for over 200 years.
8. The appeal site lies in close proximity to the Grade II* listed former Deptford Town Hall, the most historically important building within the CA. Opened in 1905 and designed in the Edwardian Baroque style, the building is notable for its strikingly original and sophisticated principal elevation, its unusually rich and inventive use of external sculpture, and its prominent clock tower. The external decoration of the building celebrates the naval and maritime associations of Deptford, reinforcing its role as a prominent and arresting local landmark. Given such, I find the significance of the CA, insofar as it relates to this appeal, to be primarily associated with the historic architecture of Deptford Town Hall and the visual balance between the surrounding commercial and residential uses.
9. The proposed advertisement would comprise an illuminated digital display showing static images on the rear of the replacement kiosk. The proposed screen would be capable of displaying static advertisements, cycling every ten seconds, with no fading or swiping in transition. The appellant has stated that the digital advertisement's illumination would adjust to daylight variations, complying with the most recent guidelines set by the Institution of Lighting Professionals.
10. The proposed advertisement would be placed in broadly the same position as the current telephone kiosk, and as such, it is recognised that it would reduce physical clutter at the appeal site. However, signage within the CA is generally restrained, predominantly limited to shop fronts. While the wider area features commercial developments, no similar illuminated signage was observed in the immediate area during my site visit. Given the prominent position of the proposed advertisement and the nature of the illuminated display, the proposal would appear prominent when viewed from the surrounding public realm, including the main shopping street and Deptford Town Hall, both during the day and night-time.
11. Additionally, the illuminated display would draw further attention to the advertisement, accentuating its visual significance. Furthermore, the proposal would be more modern in both form and technology compared to other advertisements in the area. As a result, despite the visually cluttered appearance of the locality, the proposal would appear incongruous and out of place, contrasting with the relatively simple, static signage that is characteristic of this context. Consequently, the proposal would unacceptably detract from the character and appearance of the street scene, would detract from the setting and therefore the significance of the CA, and would harm the significance of the Grade II* listed Deptford Town Hall.

12. In reaching this view, I recognise that the proposed advertisement would occupy broadly the same footprint as the existing kiosk and would likely have a similar impact on pedestrian movement. Additionally, it would facilitate the replacement of an existing legacy telephone box. Nevertheless, there would be harm to amenity, and these considerations do not alter my findings.
13. The appellant has referred to various other digital advertisement consents granted within Lewisham. However, there is no evidence before me to confirm that any of these were located within a similarly sensitive heritage environment. There is also reference to nearby digital consents along this area of the pavement, however, no evidence has been provided regarding their design or specific location. Accordingly, has not been possible to consider their effect on the street scene.
14. Alongside this proposal, the appellant has suggested that the telephone box on the other side of the road would be removed. While this may remove some clutter from the pavement, it would not alter my view that the proposed advertisement would be harmful to amenity for the reasons set out above.
15. I have taken into account Policy HC1 of the London Plan 202, Policies 15 and 16 of the Lewisham Core Strategy 2011, and DM Policies 30, 35, 36 and 37 of the Development Management Local Plan (2014) which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.
16. Overall, for the above reasons, the proposed advertisement would have a harmful effect on amenity, having regard to its siting in a conservation area its proximity to a Grade II* listed building.

Other Matters

17. I acknowledge the benefits put forward by the appellant. However, as the powers to control advertisements under the Regulations may only be exercised in the interests of amenity and public safety, these matters do not fall within the scope of my consideration.
18. The appellant has suggested that the communication kiosk cannot be implemented without both applications being consented. However, financial viability is not a matter which I can consider in an appeal under Regulation 17.

Conclusion

19. For the reasons given above the appeal should be dismissed.

S Lo

INSPECTOR