
Appeal Decision

Site visit made on 4 February 2026 by J Reed MPlan

Decision by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd March 2026

Appeal Ref: APP/U5360/Z/25/3376668

120-122 Morning Lane, Hackney, London E9 6LH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Roadside Media UK2 LTD against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/1921.
 - The advertisement proposed is wall-mounted billboard (non-illuminated) measuring 6 x 3 metres for general poster advertising.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. At the time of my site visit, I saw that the billboard sign was in situ and I have dealt with the appeal on this basis.
4. The powers under the Regulations shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors. Therefore, while the development plan policies referred to on the Council's decision notice cannot by themselves be decisive, they have been taken into account as a material consideration as part of this decision.
5. The Planning Practice Guidance sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic interest. The Council has referred to the statutory duties in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in relation to nearby heritage assets.
6. Section 72(1) of the Act requires that special attention shall be paid to the desirability of "preserving or enhancing the character or appearance" in a Conservation Area (CA). However, the appeal site lies outside of the CA. As such, the consideration of its setting does not apply within current legislation as Section

72(1) specifically refers to buildings or other land in a CA. Moreover, the statutory duty under section 66(1) of the Act requiring decision makers to have special regard to preserving the setting of a listed building or any features of special architectural or historic interest, only applies to the consideration of whether to grant planning permission. Whilst these do not apply to the appeal scheme, the presence of heritage assets is still a material consideration, in the context of considering the effect on amenity.

Main Issue

7. The main issue is the effect of the advertisement on the amenity of the area, with particular regard to heritage assets.

Reasons for the Recommendation

8. The appeal site is a three-storey building situated on the corner of Morning Lane and Homerton Terrace the area holds a busy urban character containing both residential and commercial units. Flanking Morning Lane is the overground line with the Clapton Square Conservation Area beyond. Also in close proximity to the site are the Grade II listed Church of St Luke and the locally listed Latimer Health Centre both situated on Homerton Terrace. In so far as they relate to this appeal, their significance is derived from their respective historical and architectural interests including their use, age, form, and fabric with each contributing positively to the built environment.
9. The appeal building contains a commercial unit to its ground floor with residential accommodation situated on the floors above. The building retains a number of architectural features, including a traditional shopfront, pilasters and capitals, as well as traditional window openings and brick. The elevation beside the adjacent building consists of mainly a blank brick and render wall upon which the appeal advertisement is sited.
10. The appeal advertisement occupies a significant portion of this elevation. I observed on my site visit that there was a heavy concentration of advertisements in the surrounding area with the appeal scheme exacerbating this. Particularly, due to its excessive height resulting in the advertisement being read as a highly incongruous addition to the street scene. Furthermore, it appears as a highly contrasting; discordant feature against the traditional backdrop of its host building resulting in a poor visual impact to the public realm.
11. When directly beside the appeal site on Morning Lane glancing views of the Grade II listed Church of St Luke and the locally listed Latimer Health Centre can be gained from the gap between the appeal building and its detached neighbour. The advertisement is read as particularly discordant in these views as a stark contrast against the important historic backdrop to the detriment of the setting of these historic buildings.
12. In regard to the harm to the Clapton Square Conservation Area (the CA) cited in the Council's reason for refusal. Considering the intervening gap between the appeal site and the CA as well as the clear separation due to the overground line I do not consider the proposals to harm the CA in this respect. However, regardless of this a lack of harm to the CA weighs neither for nor against the proposal and does not alleviate the harm I have identified in regard to the amenity of the area as outlined above.

13. I note the appellants reference to a previous advert at the appeal site. However, from the information before me this appears to have been significantly smaller in height and whilst I note it appeared to have been wider than the appeal proposal most of the views of the sign would have been more oblique due to the presence of the detached neighbouring building.
14. I am also mindful of the existing advertisements along Morning Lane. However, as they cumulatively erode the visual amenity of the area they do not provide a justification for a proposal that results in further harm.
15. Therefore, I conclude that, the proposal harms the amenity of the area with particular regard to heritage assets. The proposal would also conflict with Policies LP1, LP3, LP4 and LP7 of the Hackney Local Plan 2033 (2020) and Policies D3 and HC1 of The London Plan (2021) as far as they are material to this case which state amongst other things for advertisements to not adversely affect the historic significance of buildings. It would also conflict with the aims of the National Planning Policy Framework in relation to sustaining the significance of heritage assets and protecting the quality and character of places from poorly sited and designed advertisements.
16. As the power to control advertisements under the regulations is exercised in the interests of public safety and amenity, any purported benefits emanating from the advertisement does not outweigh my conclusions on the main issue.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr R Walker

INSPECTOR