
Appeal Decision

Site visit made on 24 November 2016

by Cullum J A Parker BA(Hons) MA MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 02 December 2016

Appeal Ref: APP/U5360/Z/16/3153181

159-161 Shoreditch High Street, Hackney, London, E1 6HU

- 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 Tony Dunseath of Clear Channel UK Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/0948, dated 16 March 2016, was refused by notice dated 12 May 2016.
 - The advertisement proposed is described as '*screening banner to surround existing advertisement display which benefits from express consent to wrap three frontages of derelict and dilapidated building*'.
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Decision

1. The appeal is allowed and express consent is granted for the display of the screening banner to surround existing advertisement display which benefits from express consent to wrap three frontages of derelict and dilapidated building as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main Issue

2. The Council does not consider that the proposed advertisement would have an adverse impact on highway safety. As such, the main issue is the effect of the proposed advertisement on visual amenity, including whether it would preserve or enhance the character or appearance of the South Shoreditch Conservation Area.

Reasons

3. The *National Planning Policy Framework* (the Framework), at Paragraph 67, provides that advertisements should be subject to control only in the interests of amenity and public safety. The Council has drawn my attention to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration.
4. The proposed advertisement would wrap around an existing building, which is unoccupied and in a state of some disrepair. I understand that the site is awaiting redevelopment as part of a wider regeneration of the locality. The appeal site is located within a conservation area which I saw is characterised within the immediate street scene by a fairly commercial nature.

5. The proposed wrap would not be illuminated and would hide the existing façades of the building, which due to their derelict appearance contribute little to the character and appearance of the conservation area in their current state. The Council has not identified why this particular building, in being wrapped, would fail to preserve or enhance the character or appearance of the conservation area beyond it detracting from the visual amenity of the area.
6. Whilst the Council's aim to regenerate the area is laudable, that should not act as an impediment to the temporary 'wrapping' of the appeal building which has seen better days, so as to provide a more attractive environment for local residents and passers-by until the site is redeveloped. Given these circumstances, I do not find that the proposed advertisement would be an unacceptable addition to the wider street scene in terms of its general appearance, height, design or scale. For similar reasons, I find that the proposal would preserve the character and appearance of the South Shoreditch Conservation Area.
7. I note the Council's suggested conditions and those of Transport for London (TfL). The appellant has used a professional agent, who will be fully aware of the various processes that may be required should any infringement of the public highway be required for installation. They will also be aware that the Council seeks the long term redevelopment of the site and common sense suggests that an occupied building is more generally more useful to all parties than an unoccupied one. The circumstances here are of a temporary advertisement until the area is regenerated more widely. Such conditions as suggested by the Council and TfL would therefore be onerous in this specific case.
8. I therefore conclude, for the reasons given above, that the display of the advertisements is not detrimental to the interests of visual amenity.

Cullum J A Parker

INSPECTOR