



Appeal Decision

Site visit made on 9 January 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 23rd January 2017

Appeal Ref: APP/V5570/Z/16/3159201

35 Clerkenwell Road, Islington, London EC1M 5RS

- 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 Mark Wilkinson, Infinity Outdoor against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/2948/ADV, dated 20 July 2016, was refused by notice dated 16 September 2016.
 - The advertisement proposed is described as 'temporary fully working access scaffold is to be installed upon 35 Clerkenwell Road to allow remedial works to the property to be completed. Whilst the refurbishment of the host building is completed we would propose that the scaffold is covered with a 1-1 image shroud of the host building of the scaffold. Centrally located upon north east elevation we would propose that from time to time an 8m x 5m portrait illuminated advertisement be installed upon the shroud, (whilst still being surrounded by the proposed 1-1 shroud). When a commercial display was not in situation the entire scaffold would remain covered by the mentioned 1-1 shroud'.
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Decision

1. That part of the appeal that relates to the 8m x 5m portrait illuminated advertisement is dismissed. That part of the appeal that relates to the 1-1 image shroud as applied for is allowed and consent granted for its display. The consent is for six months from the date of this decision and is subject to the standard conditions set out in the Regulations and the following additional condition:
 - 1) The shroud permitted by this consent shall be removed from the site no later than six months from the date of this decision.

Procedural Matters

2. I have amended the description of the proposal which was contained on the application form in the interests of brevity. I consider that the latter three lines of the original description are justification for the proposal rather than a description of the advert and I have, therefore, deleted them.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the host property, the surrounding area and the Clerkenwell Green Conservation Area.

Reasons

4. The National Planning Policy Framework (the Framework) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
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5. The appeal property is a traditional four storey building situated close to the end of a terrace of mixed commercial and residential properties. A single storey retail unit is situated to the side of the building. The site is adjacent to Clerkenwell Road to the north and east and St John's Square to the south and lies within the Clerkenwell Green Conservation Area (Conservation Area).
6. The building is to be refurbished and during these works a shroud would cover the scaffold on the north and north east elevations for a period of six months which would have a full size image of the building. From 'time to time' an externally illuminated 8m by 5m portrait advertisement upon the shroud would be centrally located on the north-east elevation with four overhanging lights as shown on the plans. No details are provided of the intended frequency of the display of the advertisement.
7. The Council does not raise concerns regarding the proposed 1:1 image shroud. The appellant seeks permission for a 6 month period during the restoration of the building. The shroud would contain a 1:1 image of the building which I consider would be an appropriate temporary solution during the restoration phase. However, the shroud would mask the architectural detail of the building and would not, therefore, be an appropriate long-term feature.
8. Clerkenwell Road is a busy street with traditional 3-5 storey commercial properties to the ground floor and residential above. Signage in the vicinity is relatively restrained characterised by modest fascia signs restricted to ground floor premises.
9. The proposed commercial sign would be unduly large at 8m high and 5m wide and would sit at first, second and third floor levels of the north-east elevation of the building, occupying a substantial proportion of this elevation. Consequently, I consider that it would dominate this elevation of the building.
10. Furthermore, the appeal property is situated in a prominent location close to the corner of Clerkenwell Road and St John's Square. Moreover, due to its height and scale the advertisement would be highly visible in views along Clerkenwell Road when approaching from the east. Taking these factors in combination, I consider that the sign would be an overly dominant and incongruous feature. The external lighting would draw further attention to its detrimental appearance. Consequently, it would harm the character and appearance of the host property, the surrounding area and the Conservation Area.
11. The appellant contends that the advertisement is required in order to fund the detailed architectural image on the shroud, however, there is no evidence before me to support this assertion and in any event I consider that the adverse effects of the proposed advertisement would outweigh the benefits.
12. Policies CS8 and CS9 of Islington's Core Strategy (Core Strategy) (2011) together seek to protect the character of the built and historic environment.
13. Policy DM2.1 of the Islington Development Management Policies (DMP) (2013) requires that all forms of development are of a high quality and make a positive contribution to the local character and distinctiveness of an area whilst Policy DM2.3 of the DMP seeks to conserve and enhance the historic environment. Policy DM2.6 requires advertisements to be of a high quality and sensitive to its visual appearance in relation to its siting and the surrounding street scene, especially in the case of listed buildings and conservation areas and be appropriate and relevant to the building.

14. Furthermore, policies 7.4, 7.5 and 7.6 of the London Plan 2016 relate to local character, public realm and architecture. In addition, the Clerkenwell Green Conservation Area Design Guidelines (2002) states that signs should be of appropriate scale, design and illumination. I have taken account of these policies which seek to protect amenity and so are material in this case. Given I have concluded that the 8m x 5m portrait illuminated advertisement would harm amenity this aspect of the proposal conflicts with these policies. However, I have concluded that the 1-1 image shroud would not harm amenity and consequently this aspect of the proposal would not conflict with these policies.
15. For the reasons stated above, I have attached a condition requiring the shroud to be removed from the site no later than six months from the date of this decision.
16. I have taken into account the appellant's business needs and also the temporary nature of the proposal. However, in this instance any benefits are substantially outweighed by the adverse effects that would arise in such a prominent location. It is, therefore concluded that the 8m x 5m portrait illuminated advertisement would be harmful to visual amenity. There would also be a resultant failure to preserve or enhance the character or appearance of the Conservation Area. The display of the 1-1 image shroud, on its own, would be acceptable on a temporary basis on amenity grounds.

Caroline Mulloy

Inspector