
Appeal Decision

Site visit made on 17 January 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 2nd February 2017

Appeal Ref: APP/V5570/Z/16/3157367

49 Upper Street, Islington, London N1 0PN

- 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 King Media Limited against the decision of the Council of the London Borough of Islington.
 - The application Ref P2016/1731/ADV, dated 28 April 2016, was refused by notice dated 4 July 2016.
 - The advertisement proposed is an external static advertisement banner (4.8m wide x 6.4m high) attached on a scaffold shroud fronting onto Berners Road frontage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed banner sign on the character and appearance of the area, including the effect on The Angel Conservation Area.

Reasons

3. The appeal property is located within The Angel Conservation Area (the CA). The CA comprises two, three and four-storey properties, which consist of a mix of traditional and modern buildings that generally have commercial units on the ground floor. Advertisements are common within these properties and form part of the character of the area. However, existing advertisements are predominantly on ground floor level with very few being on the upper floor levels.
4. The appeal building comprises a four-storey, end terrace property that is situated on the corner of Upper Street and Berners Road. Due to its corner plot location, the property is very prominent in the streetscene, in particular when approaching along Upper Street from the north.
5. The proposed advertisement would form part of a larger scaffolding shroud that would display an image replicating the existing façade of the building. The proposed advertisement would cover the first and second floor of part of the north façade of the building. As a result of its size, height and prominent position I find that it would be in marked contrast with the prevailing lower level advertisements in the vicinity and therefore represent a discordant note in the streetscene. Furthermore, it would dominate views along Upper Street, appearing unduly prominent.

6. Although the scaffolding that the overall shroud would screen would not be particularly visually appealing, I do not find that it would have the same dominating effect as the proposal. Therefore I only attribute limited weight to this matter.
7. During my site visit I observed large advertisements in close proximity to the site on Berners Road, i.e. on the Business Design Centre. However, these form an integral part of the overall design of the building and its surrounding open space. Given the nature of the proposed advertisement it would have a temporary appearance and would not relate to the host building.
8. I have had regard to the appeal decision¹ for the previous scheme. Whilst the reduction in the size of the proposed advertisement and having it non-illuminated would improve the effect it would have on the character and appearance of the area, it would nevertheless still have a significantly harmful effect on the visual amenity of the area.
9. Due to the harm I have identified above, I do not find that the advertisement would preserve or enhance the character or appearance of the CA. Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use².
10. Revenue from the advertisement would fund the scaffolding shroud and its maintenance and contribute towards the improvement works to the building. Furthermore, I acknowledge that the proposal could have wider economic benefits by way of stimulating growth. I also note the charitable use of the advertisement during times when there is no commercial sponsorship and the benefits a scaffolding shroud would have compared to traditional plastic sheeting and that it would screen the scaffolding. I have attributed considerable importance and weight to the duty and the presumptive desirability of both preserving the character and appearance of the CA, which I do not consider, for the reasons stated above, are outweighed by any benefits of the advertisements. Having regard to the Framework's advice on heritage assets, I find, for the above reasons, that the harm is not outweighed by any public benefit.
11. I have also had regard to the proposed temporary 6 month period for the advertisement to be displayed. However, the harm to the character and appearance of the area and the CA would be unacceptable, even if only for a temporary period.
12. In their reasons for refusal, the Council have cited Policies 7.4 and 7.8 of the London Plan; Policies CS8 and CS9 of Islington's Core Strategy; and, Policies DM2.1, DM2.3 and DM2.6 of Islington's Development Management Policies 2013, which they consider to be relevant to this appeal. They also refer to its Urban Design Guide 2006. I note that some of these policies relate to new development and therefore are not relevant to the proposal before me. The power under the 2007 Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any

¹ Appeal Ref APP/V5570/H/14/2221439

² Paragraph 134 of the National Planning Policy Framework

material factors. Accordingly, whilst I have taken account of the relevant Council's policies, they have not, by themselves, been decisive.

13. In my consideration of the proposal I have also had regard to the National Planning Practice Guidance (PPG), which states that buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large 'wrap' advertisements covering the face, or part of the face, of the building³. However, this must be balanced against other considerations, in this instance the character and appearance of the area and the CA.
14. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR

³ Paragraph: 005 Reference ID: 18b-005-20140306