

Appeal Decision

Site visit made on 24 February 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 9th March 2017

Appeal Ref: APP/U5360/Z/17/3166721

33 Broadway Market, Hackney, London E8 4PH

- 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 Justin Myers against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/4155, dated 9 November 2016, was refused by notice dated 3 January 2017.
 - The advertisement proposed is a temporary scaffold shroud screen advertisement for 9 months whilst the frontage is scaffolded comprising a 1:1 building image with inset advertising area measuring 6.6M X 6.7M (externally lit).
-

Decision

1. The appeal is dismissed.

Main issue

2. The Council raises no issue in relation to public safety. From the submitted evidence, I have no reason to disagree with that finding. Consequently, the main issue is the effect of the proposed advertisement on amenity.

Reasons

3. The Planning Practice Guidance refers to shroud and large 'wrap' advertisements. It states that buildings that 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 thereof, of a building.
 4. In this instance, the appeal property is an end terrace building that occupies a prominent position at the corner of Broadway Market and Benjamin Close within the Broadway Market Conservation Area (CA). The CA is mixed in character with mostly residential, commercial and retail elements along Broadway Market. From what I saw, most signage is modest in size and typically at ground floor or street level. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
 5. The proposal is a shroud that would wrap around the elevations of the host building above ground floor level broadly facing towards Benjamin Close and Broadway Market. The shroud would include a 1:1 replica of the building's façades and incorporate an advertisement banner for the full height of the building above ground floor level. The proposed display would be in place for about 9-months during which improvement works would be carried out to the appeal property. That the new advertisement would be considerable in width
-

- and occupy an elevated position would ensure that it would be highly visible especially in southward views from Broadway Market.
6. In my experience, the standard offering of netting or plastic sheeting around scaffolding can often present a drab and uninteresting elevation. In most cases, this arrangement contributes little positively to the area to which it belongs. In contrast, shrouds around buildings can enliven the façades of the host building and provide some interest in the local street scene while works such as repairs are carried out. That the new shroud would cover the scaffolding and the building works would be a benefit with regard to the appearance and operation of the site. The image proposed for the shroud, which depicts the elevations of the host building behind it, would also be appropriate. These considerations weigh in favour of the proposal.
 7. However, when seen from Broadway Market, just to the north of the site, the new advertisement display would appear overly large in relation to the scale and proportions of the host building. Being significant in size and prominently placed, the proposal would be a highly conspicuous and intrusive feature in the local area. That lights would externally illuminate the new advertisement would visually accentuate its presence after dark even in this urban and street lit setting. Its overly dominant and unduly imposing presence would markedly contrast with the smaller, lower level and low-key signage in the local area.
 8. The times during which the new advertisement is lit and the level of brightness to the illumination could be limited by a condition. The proposed external lighting could be omitted all together, as the appellant suggests. However, as the new advertisement would relate poorly to the host building and the area to which it would belong, I am not persuaded that such measures would satisfactorily mitigate the harm that I have identified. That the advertisement display would regularly change and be in place for a relatively short and temporary period would not diminish the harm caused whilst it is displayed.
 9. On the main issue, I therefore conclude that the proposed advertisement would cause significant harm to the visual amenity of the local area. For the same reasons, it would detract from, and thus fail to, preserve the character and appearance of the CA, to which I attach considerable importance and weight. The public benefits of the scheme, which largely relate to the information displayed on the advertisement and to concealing the scaffolding and building works from public view, are insufficient to outweigh the harm to the CA.
 10. While the income from the new advertisement may assist in the renovation of the building or may be necessary for the provision of the shroud, these have not been demonstrated. Reference is also made to several other large-scale temporary advertisements that have been permitted, none of which share the same characteristics or street scene as the appeal building. Consequently, I am unable to draw very few direct parallels between these examples and the proposal. In any event, I have assessed the proposal on its own merits.
 11. Reference is made to several planning policies, to which I have had regard as relevant considerations. Powers under the Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. In my determination of the appeal, the policies cited have not therefore by themselves been decisive.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR