



Appeal Decision

Site visit made on 16 March 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 5th April 2017

Appeal Ref: APP/U5360/Z/16/3162800

175, The Three Crowns, Stoke Newington High Street, Hackney, London N16 0LH

- 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 Blow Up Media UK Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/3435, dated 13 September 2016, was refused by notice dated 7 November 2016.
 - The advertisement proposed is described as temporary scaffold shroud screen advertisement comprising a coloured 1:1 image of the building façade with an inset advertising area measuring 10m x 6.6m for a period of 12 months.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Both the Regulations and the National Planning Policy Framework make it clear that advertisements should be subject to control in the interests of amenity¹ and public safety, taking into account cumulative impacts. Whilst the Council's decision notice refers to the policies it considers to be relevant to its decision on this application, and I have taken them into account as a material consideration in my decision, the Council's policies have not in themselves been decisive.

Main Issue

3. The main issue is the effect of the proposal on visual amenity, with particular regard to whether it would preserve or enhance the character or appearance of the Stoke Newington Conservation Area, and the setting of listed buildings.

Reasons

4. The appeal site is located at the junction of Stoke Newington High Street and Stoke Newington Church Street, and is a three storey public house. This ornate and attractive locally listed Victorian building incorporates a corner turret, and in this prominent location forms a local landmark within the wider Conservation Area (CA). On the opposite side of Stoke Newington High Street, No 9-11 are three storey early to mid-18th Century listed buildings. This busy commercial area has predominantly retail use at ground floor, with most shop frontages being of

¹ Regulation 3(2) states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

suitably modest design. There is little other commercial advertisement in this area.

5. The proposal is for a shroud comprising a 1:1 scale image of the host building and incorporating an inset area of externally illuminated advertisement measuring 10m x 6.6m on the southern elevation. This would be fixed to scaffolding and would cover most of the upper floors of the building. It would be in place for 12 months during refurbishment works to the building.
6. The proposal would result in a temporary alteration to the appearance of this building and the introduction of a sizable advertisement panel. I accept that an impression of the building behind would be retained and where this is visible the proposal would be less harmful to visual amenity than the alternative noted by the appellant as normal scaffolding and screening. However, whilst shrouds around buildings might typically detract from the street scene their effect is muted as they are generally featureless. In this case, the large advertising area would attract attention to something that is designed to disguise an area of scaffolding.
7. I also accept that the present proposal is a modified version of an earlier scheme involving advertisements on both sides of the building which was dismissed at appeal.² However, the reduced advertisement area would still obscure a large area of the façade of this attractive building, effectively masking its upper two floors close to the road junction. Whilst the appellant notes that this would be 20% of the total shroud it would be highly visible and incongruous in this prominent location, and out of proportion in comparison with the shopfront advertising in this area. It would therefore be harmful to the positive contribution this building makes to the character and appearance of the CA, and the setting of the listed buildings opposite. Whilst I accept that this would be in place for a temporary period, any diminution of this building's visual appeal, should be avoided if not fully justified.
8. The appellant states that the public house has been neglected and that the advertisement would fund its restoration. In such circumstances the appellant notes the guidance 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 building"*.³ My attention is also drawn to a previous appeal decision in which an Inspector states that scaffold shrouds can be beneficial as *"they announce a redevelopment that is being undertaken, hopefully, to the long term improvement of the streetscape in general"*.
9. However, from what I was able to observe on my site visit, I agree with my Inspector colleague that the external fabric of the building looks to be in good repair. On this point there is very little evidence of the need for, and scope of, restoration works. A schedule is presented indicating that a number of façade and roof repairs would be spread out over a notional 12 month period, rather than programmed to take place concurrently. However, no invasive or structural works are indicated and this does not in itself provide adequate justification that this work is needed, or that the fall-back position of using plain scaffolding is likely to take place.

² 3152694

³ National Planning Policy Guidance, Paragraph: 005 Reference ID: 18b-005-20140306

10. I have also noted that public information as well as commercial advertisements could be displayed, though no further information to indicate what would be presented is provided. The appellant also states that the four overhead lamps providing external illumination could be omitted if necessary. However, this would not be sufficient to mitigate the harm to visual amenity identified in this case.
11. In so far as such matters are material, the advertisement would be contrary to the London Plan Policies 7.4, 7.6, and 7.8, and the Hackney Core Strategy 2010 Policies CS24 and CS25, all of which seek to ensure that design enhances the quality of the public realm, particularly in relation to heritage assets. There would also be conflict with Hackneys Development Management Local Plan 2015 which at Policies DM1 and DM28 seeks to ensure that design reinforces local distinctiveness and does not adversely affect the historic environment, and at Policy DM29 requires advertisements to be sensitive to the character of the area and not to detract from the amenity of the street scene.

Conclusion

12. I have found that due to its location this proposal would cause harm to visual amenity, with particular regard to the character and appearance of the Stoke Newington Conservation Area, and the setting of listed buildings. I therefore dismiss the appeal.

AJ Mageean

INSPECTOR