



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: 2nd May 2017

Appeal Ref: APP/U5360/Z/16/3162335

180 (NatWest) Shoreditch High Street, London E1 6HY

- 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 Mohamed Ahmed against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/2868, dated 1 August 2016, was refused by notice dated 17 October 2016.
 - The advertisement proposed is a double sided freestanding Forum Structure, featuring 2 x Digital 84" screens positioned back to back.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Whilst the plan illustrating the 'Existing Elevations'¹ suggests that the current bus shelter has an advertisement display area at one end, I noted on my site visit that the current shelter is open at both ends.
3. Both the Regulations and the National Planning Policy Framework make it clear that advertisements should be subject to control in the interests of amenity² 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 material considerations in my decision, the Council's policies have not in themselves been decisive.

Main Issue

4. 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 South Shoreditch Conservation Area, and the setting of the nearby listed building.

Reasons

5. The appeal site is located within the South Shoreditch Conservation Area. This part of Shoreditch High Street is a busy thoroughfare containing buildings of significant size and varying character, alongside some open plots. The overriding impression is of a wide straight boulevard leading to and from the City. The area has a plethora of street furniture as is typical of such an environment. Existing

¹ 'A02310/01 Type A'

² 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.

advertisement is generally confined to shopfronts, is mostly non-illuminated and is reasonably modest in design.

6. The existing bus shelter is located on the pavement in front of a Grade II Listed bank building. This is a four storey building has an ornate stone frontage. The current bus shelter is located centrally within the wide pavement, is of simple design with an open front and glazed sides and back, allowing through views along the street. It contains a central non-illuminated information panel, but no advertising. The proposal would include digital advertising screens, positioned back to back and capable of displaying illuminated, static and dynamic images, which would appear as one end of the bus shelter. Whilst the outer facing display would be an internally illuminated printed image, the inner image would contain sequential commercial messaging.
7. The introduction of advertisements located centrally within the pavement, and orientated at right angles to the building frontages, would interrupt the presently largely open views along the street. This would be exacerbated by the eye-catching effect of the illuminated and alternating displays which would detract from the formality of this area. In this respect the illumination via digital display would give the proposal an uncharacteristically bright appearance, especially during daylight hours when there is little discernible artificial lighting. Of particular concern is the harm this would cause to the setting of the adjacent listed building. Whilst I accept that the degree of brightness could be controlled by condition, this would not be sufficient to mitigate this harm.
8. I have taken into account the facts that the advertisements would include live travel status updates and tourist information, would be able to display public information in the event of an emergency, and that income from advertisement would be reinvested in network improvements. Digital technology is also a relatively environmentally responsive means of advertising. However, these benefits would not outweigh the harm caused by the incongruous appearance of these advertisements.
9. In so far as such matters are material, the advertisements are 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

10. I therefore find that due to its location and method of illumination this proposal would cause harm to visual amenity, with particular regard to the character and appearance of the South Shoreditch Conservation Area and setting of a listed building. I therefore dismiss the appeal.

AJ Mageean

INSPECTOR