



Appeal Decision

Site visit made on 5 September 2017

by C J Ford BA (Hons) BTP MRTPI

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 22 September 2017

Appeal Ref: APP/U5360/Z/17/3179471

British Telecom Telephone Exchange, 74 Shoreditch High Street, Hackney, London E1 6JN

- 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 Miss Anna McAree (Build Hollywood Ltd) against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2016/2631, dated 7 July 2016, was refused by notice dated 12 May 2017.
 - The advertisements proposed are; 1 non-illuminated advertising panel measuring 1740mm high and 6250mm wide and 5 non-illuminated advertising panels measuring 1740mm high and 4230mm wide.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. There are various irregularities in the appeal documentation. The Council's officer report only considers the five signs proposed on the Shoreditch High Street elevation of the Telephone Exchange building ('the Exchange'). The decision notice likewise only refers to five non-illuminated signs.
3. The appellant's statement refers to the sixth sign proposed on the Boundary Passage elevation of the Exchange as being an eleven panel frame and Drawing 02 is annotated '11 Panel Frame'. However, the drawing itself only shows a six Panel Frame.
4. In the interests of clarity, the appeal has been determined on the basis of the application that was originally made to the Council which proposed; five four panel frame advertisements on the Shoreditch High Street elevation and one six panel frame advertisement on the Boundary Passage elevation.
5. The parties have drawn attention to Development Plan policies, National Planning Policy, National Guidance and Local Guidance which they consider are pertinent to this appeal. In particular, it is noted that Policy DM29 of the Council's Development Management Local Plan 2015 specifies that advertisements shall not contribute to an unsightly proliferation or clutter of signage in the vicinity and detract from the amenity of the street scene. Whilst Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to advertisements, the policies and guidance have been taken into account, so far as they are material, in accordance with the Regulations regarding advertisements.

Main issue

6. The main issue is the effect of the proposed advertisements on the visual amenity of the site and its surroundings.

Reasons

7. The Exchange building to which the proposed advertisements would be attached is positioned on the eastern side of Shoreditch High Street. As the boundary of the South Shoreditch Conservation Area (CA) runs along the centre of the High Street at this point, the advertisements would be located just outside the CA.
8. Opposite the High Street elevation of the Exchange, within the CA, there are two large scale digital LED display panels and two externally illuminated large hoardings. However, they serve as screening for an area behind that is seemingly in transition and has the potential to be redeveloped in the near future. Consequently, they appear to have a temporary existence and are not typical of the scale of advertisements in the locality. More typical are the freestanding six-sheet sized scrolling panels found on either side of the street and the double-sided LED panel positioned at one end of the bus shelter in front of the Exchange.
9. The Exchange is a large multi-storey building. A key part of its character is the simple functional appearance of the lower levels which is emphasised by two rows of uniform and regularly spaced windows. In line with this character there is a general absence of advertisements. A notable exception is a digital LED display panel that is set in a recess towards the northern end of the building. However, it is an individual feature and being positioned between horizontal slats which give the impression of extractor vents, it seeks to assimilate with the building's functional character.
10. The proposed five, four panel frame advertisements on the High Street elevation would be positioned between the lower windows and street level. In total, twenty posters would be displayed. When viewed in combination with the existing LED panel and the nearby on-street advertising, they would result in a harmful proliferation of signage in the locality.
11. Whilst it is accepted that there is colour and interest in relation to most of the nearby High Street premises at ground floor level, the proposal would result in a visually cluttered appearance to the Exchange and significantly detract from the building's simple and functional character. The detrimental impact would be exacerbated by the fact the panels, whilst evenly spaced in relation to each other, would be haphazardly positioned in relation to the regular placement of the windows above.
12. Boundary Passage is a pedestrian walkway that links Shoreditch High Street with Boundary Street and the proposed sixth advertisement would be attached to the single storey Boundary Passage elevation of the Exchange. The ground floor of the three other buildings that stand alongside the respective ends of the walkway are occupied by business premises. Nevertheless, their associated fascia signage is limited and does not wrap around into the passageway.
13. With the notable exception of a small projecting sign at the Boundary Street end, there is little commercial advertising along the walkway. Consequently, the introduction of a long panel containing six posters would appear as an alien

and incongruous feature within the Boundary Passage street scene. The sixth sign would therefore be harmful in its own right. However, as it would be visible from the south of the High Street and viewed in combination with the five other proposed signs, it would also contribute to a harmful proliferation of signage in the locality.

14. Despite the appellant considering Boundary Passage to be a dull and intimidating pedestrian route, it is a reasonably wide, well used and well lit walkway. The notion of the advertisements adding colour and interest would therefore not have a tangible positive effect on any perceived fear of crime.
15. It is apparent the Exchange is regularly used as a canvas by graffiti artists and the appellant's stated commitment to clean and keep the walls free from graffiti is noted. Nevertheless, there already appears to be ongoing maintenance in this regard and the commitment would not outweigh the harm that arises from the scheme.
16. It is therefore concluded that the proposed advertisements would have an unacceptably harmful effect on the visual amenity of the site and its surroundings. The proliferation of signage and harm to the character of the Exchange would detract from the setting of the nearby CA. The proposal would conflict with relevant policies and guidance.

Conclusion

17. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be dismissed.

C J Ford

APPOINTED PERSON