
Appeal Decision

Site visit made on 22 October 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2019

Appeal Ref: APP/U5360/Z/19/3234737

55 Curtain Road, Hackney, London EC2A 3PT

- 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 (Blow Up Media UK Ltd) against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2019/2023, dated 3 June 2019, was refused by notice dated 29 July 2019.
 - The advertisement proposed is temporary scaffold shroud screen advertisement comprising a 1:1 image of the building facade with inset area for public information and advertising measuring 6m x 6.8m.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the South Shoreditch Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is the effect of the development on the visual amenity of the surrounding area and the South Shoreditch Conservation Area.

Reasons

4. The building is prominently located close to the junction of Curtain Road and Great Eastern Street in the South Shoreditch Conservation Area (CA). The area is part of a busy, mainly commercial area.
5. The property is a 1950s four storey building surrounded by buildings of a similar scale. Many of the adjacent older properties are identified as buildings of merit within the CA. Although of a more recent construction than some of its immediate neighbours the building is sympathetic in scale and design and adds to the variety of buildings and visual interest of the street.
6. The drawings indicate that the shroud would cover only the front elevation of the building, depicting the top three floors of the elevation. The advertisement inset would be of a size to cover approximately the top two floors when displayed. The advert would be externally illuminated by floodlighting placed at the top of the building.

7. My attention has been drawn to the Planning Practice Guidance¹ (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 building”.
8. However, as set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), advertisements should be subject to control in the interests of amenity and public safety. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Therefore, as the PPG explains², if the locality where an advertisement is to be displayed has important scenic, historic, architectural or cultural features, consideration should be given to whether it is in scale and in keeping with those features.
9. Given the commercial nature of the area, there are many advertisements within the locality. These differ in style and design, with the use of various materials and forms of illumination. Notwithstanding the sign on the roof of the next-door property, signage is predominantly found at ground floor level, and being in the conservation area is, on the whole, restrained in appearance.
10. Conversely, by reason of its size, siting and illumination the proposed shroud advertisement would result in a large conspicuous and discordant intrusion into the street scene. Furthermore, due to its prominent corner location and height it would dominate views along Great Eastern Street, when approaching the junction with Curtain Road.
11. Although the 1:1 image of the building facade may add interest to the street, the relatively large size of the inset advert would result in this being the predominant image for much of the time. Therefore, I attached very limited weight to the benefit of the shroud depicting the existing elevation during the building works. Further, whilst I accept that the shroud could serve to shield the public view of the building works, as it is unclear, from the evidence before me, what the works would consist of its potential visual effects cannot be assessed.
12. I accept that the advertisement would only be displayed for a temporary period, but this is not sufficient justification to allow a proposal which would have a harmful effect on amenity in this sensitive location.
13. The appellant refers to several appeal decisions. However, I have not been provided with details of the cases and as such, I can attach little weight to the findings. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.
14. For the above reasons, I conclude that the proposed advertisement would fail to preserve or enhance the character or appearance of the CA and would be detrimental to the visual amenity of the surrounding area.
15. The Council has drawn my attention to policies in the London Plan 2016 as well as the Core Strategy Hackney Strategic Planning Policies 2010 – 2025 and the Hackney Development Management Local Plan July 2015. Whilst I have taken

¹ ID 18b-005-20140306

² ID: 18b-079-20140306

these into account as material considerations; as the powers to control advertisements under the regulations may be exercised only in the interests of amenity and public safety, in my determination of this appeal, the Council's policies have not, themselves been decisive.

Other Matters

16. I have considered the appellant's proposed conditions in light of advice in paragraph 54 of the National Planning Policy Framework. Paragraph 54 advises that consideration should be given to whether otherwise unacceptable development could be made acceptable through the use of conditions. I do not find that any of the conditions suggested by the appellant would be sufficient to mitigate the harm I have identified to the visual amenity of the CA.

Conclusion

17. For the reasons set out above, the appeal is dismissed.

Diane Cragg

INSPECTOR