



Appeal Decision

Site visit made on 1 September 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/U5360/Z/20/3249508

1 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 of BLOW UP MEDIA UK LTD against the decision of the London Borough of Hackney Council.
 - The application Ref 2020/0336, dated 24 January 2020, was refused by notice dated 20 March 2020.
 - The advertisement is a temporary decorative scaffold shroud screen advertisement for a period of 9 months during scaffolding and works to the site.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The new Hackney Local Plan 2033 (the 'Local Plan') was adopted in July 2020 after the submission of this appeal. It replaces the Hackney Development Management Local Plan 2015 and the Hackney Core Strategy 2010. The Council have provided the newly adopted Local Plan policies that are relevant to this proposal which are broadly similar to the superseded policies contained within the decision notice and against which the proposal was assessed.

Main Issues

4. The main issue is the effect of the advertisement on the amenity of the area, including the character of the Broadway Market Conservation Area.

Reasons for the Recommendation

5. The appeal site comprises a three-storey building which forms part of a larger group of terraced buildings of similar appearance on the western side of Broadway Market. The building occupies a prominent location on the corner of Broadway Market and Regents Row, adjacent to Cat and Mutton Bridge. It is located within the Broadway Market Conservation Area whose significance is mainly derived from the pleasant early 19th-century feel of Broadway Market itself which leads to the green open space of London Fields. Although the site is within a busy shopping area, there are very few large advertisement hoardings.

6. The proposed temporary shroud would encase the scaffolding on No. 1 for a period of 9 months during restoration and repair works. The shroud would in part replicate the external façade of the building and display an imprinted advertisement over the first and second floors, measuring 6m x 5.8m. The inset advertisement area would be externally illuminated with three overhead lights, however the appellant has highlighted the lighting is an optional feature which can either be omitted entirely or set on a timer control if considered necessary. The advertisement would display public information as well as commercial advertising.
7. Although the shroud would help to disguise the scaffolding during the renovation works, I find that the inset advertisement would appear too large and dominant. Also, it would be sited in a prominent location on a corner plot adjacent to the Regent's Canal and Cat and Mutton Bridge, at the entrance of the Conservation Area, and at high level partially covering the first and second floors. It would introduce an obtrusive and uncharacteristic element to the street scene and, even though this would be for a temporary period, would detract from the character of the Conservation Area and the host building which is a Building of Townscape Merit.
8. The appellant states that the shroud and advertisement would add visual interest, constitute aesthetic improvement and avoid the view of normal scaffolding and ad-hoc sheeting. I find, however, that a large advertisement would add visual clutter and fail to tie in with the traditional and consistent appearance of the nearby buildings on Broadway Market at first floor level and above. Building works and associated scaffolding and sheeting, on the other hand, are not an uncommon sight and would only have a neutral impact on the street scene and the Conservation Area.
9. Furthermore, the proposed plans show that the inset advertisement would occupy most of the shroud at first and second floor level on the southern side of the building. Therefore, though I acknowledge the benefit of a decorative shroud which accurately reproduces the façade of the buildings, and the part the advert would play in its funding, the benefit is limited by the scale of the inset advertisement. Indeed, overall, though the harm to the heritage asset is less than substantial, the public benefits of the proposal are limited and do not outweigh that harm.
10. The appellant refers to another shroud advertisement at Holland Park Avenue. However, this example is in a different setting and is not directly comparable to the proposal before me. Furthermore, though I note the reference to an appeal in Westminster in which the principle of such adverts was discussed, each application and appeal should be determined on its individual merits.
11. Given the above, the display of the temporary scaffold shroud advertisement would be detrimental to the amenity of the area. I have taken into account Policy LP7 of the Local Plan which seeks to ensure outdoor advertisements are of the highest standard of design and respect local character and context, especially in areas of historic significance. I have also had regard to Local Plan Policy LP1 and Policy 7.4 of the London Plan which both seek to ensure proposals are well-designed and local context is respected; and Local Plan Policy LP3 and London Plan policy 7.8 which together seek to ensure the character of Conservation Areas are preserved. As I have found that the proposal harms amenity it would fail to accord with these policies. I was not

provided with Policy 7.6 of the London Plan but as, according to the decision letter, this policy relates to architecture, it is unlikely to be determinative in my consideration of the proposed shroud advert.

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR