



Appeal Decision

Site visit made on 15 June 2021

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th July 2021

Appeal Ref: APP/V5570/Z/21/3272174

250 City Road, Islington, London EC1V 2AB

- 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 Berkeley Homes (North East London) against the decision of the Council of the London Borough of Islington.
 - The application Ref P2020/2872/ADV, dated 19 October 2020, was refused by notice dated 22 February 2021.
 - The advertisement proposed is Installation of 2 no. fascia signs comprising of 2 no. LED panels, 1 no. totem sign, 1 no. door surround with illuminated lettering and 2 no. fixed planters with logos to the City Road elevation of 250 City Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has approved application Ref P2020/1848/ADV which appeared to have been implemented at my visit and includes a number of elements of the current appeal scheme. The appeal proposal differs from that consent because the proposed two fascia signs would be LED, set 3.3m above ground level and measure 11.65m in height, compared to the 3.45m height of the approved scheme signage. I have considered the appeal in this context.
3. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regs) requires that a Local Planning Authority shall exercise its powers (amongst other things) in the interests of amenity taking into account - (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors. 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. I have considered the appeal on this basis.

Main Issue

4. The main issue is the effect of the advertisements on the amenity of the area.

Reasons

5. The appeal site includes a recently constructed plinth building above which is a tower understood to be approximately 155m in height. It fronts City Road which is an arterial route through this part of the city, and it lies within the

Central Activities Zone (CAZ), an Employment Area and the City Road Basin area. While there is an emphasis on economic growth and active frontages, the development plan also places an emphasis on high quality design.

6. The surrounds include a number of large buildings from which the signs would be visible. However, like the appeal site these generally include relatively simple elevations, in generally modest colour tones with signage which does not include large digital LED screens. The nearby pavement also comprises simple and well-designed street furniture. The static fixed horizontal lettering on the neighbouring building, while larger than this proposal, is significantly different in appearance to the proposed LED signage.
7. These LED signs set between the first and third floor would be considerably larger in scale and height than most of the other illuminated adverts such as those at the petrol garage and food outlet. The levels of luminance would be in accordance with that recommended by the Institute of Lighting Professionals, but even having regard to the Council's and appellant's suggested conditions, these LED screens would be highly visible. The combination of their appearance, scale, luminance, changing images, and position would result in them being highly prominent in the street scene, particularly from the west, and they would be significantly out of keeping with and harmful to the character, appearance, and amenity of the area.
8. Being positioned a relatively limited distance from ground level they would be highly visible to passing vehicular and pedestrian traffic. The traffic in proximity will not necessarily look upwards at a steep angle to take in the entirety of the building. From ground level the LED signs would appear as large dominant installations up to the third floor. Taken in combination with other advertisements, they would clutter the elevations and the street scene, harmfully detracting from the area. Therefore, they would conflict with paragraphs 5.219 and 5.220 of the Islington Urban Design Guide Supplementary Planning Document (2017) (the SPD). Furthermore, for the reasons outlined I do not agree they comply with relevant contextual advice in the SPD. The City Road frontage uses and appearance of the building, already provides a visually interesting and active frontage in a manner in keeping with the area, and this sign is not necessary to achieve such policy objectives.
9. There would be intervisibility between the adverts and the Duncan Terrace/Colebrook Row Conservation Area (DCCA) approximately 70m to the south at the City Road Basin, as well as with historic buildings and shop fronts approximately 130m west. These parts of the DCCA are characterised by modest historic buildings and the low level water based appearance of the basin. The setting contributes to the significance of the DCCA as a modern and mostly modestly toned environment. While the LED signs may not result in light spillage into the DCCA, they would be visible in its setting, resulting in large somewhat distracting advertisements with regularly changing images that would have a negative effect on and be harmful to the setting. Therefore, the advertisements would not preserve those elements of the setting that make a positive contribution to, or, better reveal the significance of the DCCA.
10. The Moorfields Conservation Area (MCA) is approximately 140m to the east. It includes the southern lane of the A501 and a large post-war building which includes some limited multi-coloured high level lighting. There would be highly restricted intervisibility and no discernible harm to the significance of the MCA.

11. The signage would make the appeal site more visible from nearby, raising its profile, which might have some benefit to attracting future occupiers at a time of increased competition from surplus office space. However, the evidence does not lead me to conclude the benefits would be anything other than limited. Compliance with policies and guidelines in respect of luminance, the living conditions of neighbouring occupiers, and highway safety, would all be neutral matters that attract neutral weight. Therefore, I am of the view the benefits of the advertisements would be limited and would not outweigh the significant harm to amenity of the area.
12. The adverts at York Way are of a significantly different height and from what I saw at my visit, viewed in a very different visual context, a considerable distance from the appeal site. I could not identify the advert at No 360 City Road, but this location is several hundred metres from the appeal site and also set within a significantly different visual context with increased levels of traffic, street furniture and signage. The advertisements around the City Road/ Old Street Junction included some on part of a purpose built structure. The advertisements are several hundred metres from the appeal site close to a busy junction/roundabout and Underground station, so are in a considerably different visual context and environment.
13. Based upon appeal decision letter Ref APP/V5510/Z20/3251825 for Canonbury Road, this was a smaller replacement sign in a markedly commercialised area, and so a significantly context to the appeal proposal. There is a large sign covering a significant proportion of an elevation of a neighbouring building on Macclesfield Road, but based on what I saw on my visit, this is not illuminated, not LED and not a changeable display. Therefore, the examples referred to are all significantly different from, and do not justify allowing this appeal proposal.
14. For the reasons set out above the advertisements would be harmful to the amenity of the area. I have had regard to Policy CS9 of the Core Strategy (2011), Policies DM2.1, DM2.3 and DM2.6 of the Islington Local Plan Development Management Policies (2013), and Policies SD4, D8 and HC1 of the London Plan (2021). These are of relevance insofar as they require advertisements be of the highest standard appropriate to the building, protect amenity, has regard to the surrounding historic context including the setting of Conservation Areas, preserves the significance of heritage assets, and set out criteria against which advertisements shall be assessed. These are consistent with paragraph 132 of the National Planning Policy Framework (2019).
15. The adverts might be considered to comply with other objectives of the draft Islington Local Plan Strategic and Development Management Policies (2021) and some advice in the SPD. However, this does not overcome the harm I have found. Based upon the wording provided by the appellant, the advertisements would also conflict with Policy DH1 and DH6 of the draft Local Plan and Policy BC4 of the draft Bunhill and Clerkenwell Area Action Plan (2021), insofar as these seek to respect, conserve and enhance heritage assets and their significance including having regard to their settings, not contribute to proliferation/clutter of signage in the vicinity, and seek an improved public realm along City Road.

Conclusion

16. For the reasons set out above, the appeal should not succeed.

Dan Szymanski

INSPECTOR