



Appeal Decision

Site visit made on 23 May 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 August 2022

Appeal Ref: APP/U5360/Z/22/3293705

91 Dunsmure Road, Hackney, London N16 5HT

- 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 G Grussgott against the decision of the Council of the London Borough of Hackney.
 - The application Ref 2021/3701, dated 21 December 2021, was refused by notice dated 15 February 2022.
 - The advertisement proposed is a non-illuminated display sign measuring 3m x 1.8m.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main Issue

2. The main issue is effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. No 91 Dunsmure Road is the end building of a short Victorian terrace within a small local shopping centre. The ground floor is in commercial use as a bakery, with residential accommodation on the two upper floors. The appeal relates to the eastern gable end of the building, which is next to a railway cutting.
4. Advertisement consent is sought for the display of a non-illuminated sign, measuring approximately 3m wide and 1.8m high, to be erected on the end gable. The shop unit, in common with other commercial premises in the same row, has a ground floor which projects a short way in front of the main elevation of the upper floors. I have not been provided with precise measurements in respect of the siting of the advertisement, but it is clear from the submitted drawings that it would be set back a little way from the front elevation, and just below the top level of the projecting shopfront.
5. The area is one where there is already a degree of commercial signage, as might normally be expected in a small local shopping centre. This is almost entirely existing shopfront signage, which I saw is a mixture of traditional and modern in style (and that on the shopfront at No 91 is towards the more modern end of that spectrum).

6. Other than the shopfront signage I did not see, nor was I made aware of, any other advertisements in the immediate vicinity of the appeal site. The gable wall where the advertisement would be sited does not currently contain signage of any description. However, the proposed advertisement would be relatively small in size, and its positioning close to the front elevation would mean that it would be seen by anyone approaching along Dunsmure Road from the east alongside the shopfronts and their signage behind. It would sit reasonably comfortably within the limited commercial context of the local centre, while neither its size nor positioning would be such that they would result in an unsightly or otherwise harmful proliferation of signage.
7. The siting of the advertisement on the eastern end elevation of the building means that it would not be visible from the west. It would not be illuminated, and so would not be an incongruously bright or otherwise intrusive feature. While the partial obscuring of one of the shallow alcoves on the gable wall would be unfortunate, this would not amount to causing significant harm to the appearance of the building.
8. It was not suggested that the proposed advertisement would have a harmful effect either on highway safety or public safety more generally, and nothing I saw on my site visit leads me to take a different view on this matter.
9. I conclude that the advertisement would not have a harmful effect on amenity. In accordance with the Regulations I have taken into account the provisions of the development plan so far as they are material, although they have not by themselves been decisive. However, I find that the proposal complies with Policies LP1 and LP7 of the 2020 Hackney Local Plan, and with Policies D3 and D4 of the London Plan 2021. Together (and among other things) these policies seek to ensure that development is well designed and compatible with the existing townscape, and that advertisements respect local character and context and do not detract from the amenity of the street scene.
10. I also find that the proposal complies with the requirements of Paragraph 136 of the National Planning Policy Framework, which seeks to prevent poorly-sited or designed advertisements which would have a negative impact on the visual character and quality of places.

Conditions

11. I have imposed the five standard conditions set out in the regulations. The Council did not suggest any additional conditions, and in my view none are necessary.

Conclusion

12. For the reasons given above I conclude that the display of the advertisement would not be harmful to amenity. The appeal is therefore allowed.

M Cryan

Inspector