



Appeal Decision

Site visit made on 19 September 2023

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2023

Appeal Ref: APP/U5360/Z/22/3313611

149-150 Shoreditch High Street, Hackney, London E1 6HU

- 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 Fiorucci Holdings Limited against the decision of London Borough of Hackney.
 - The application Ref 2022/2169, dated 31 August 2022, was refused by notice dated 1 November 2022.
 - The advertisement proposed is a fascia sign, made out of fabric. Approx 4m height by 8m width, and approx 3.5m from the ground. Black text on white and multi-coloured background. No illumination.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework ('the Framework') and the Planning Practice Guidance reiterate this approach. Therefore, while I have taken account of the policies and guidance that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.
3. The appeal site is located within the South Shoreditch Conservation Area ('the CA'). I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. The appellant's application form refers to: 'The display of two fascia signs for a temporary period of 6 months.' However, the proceeding details on the application form only provide the particulars for the larger advertisement shown on the submitted proposed image of the site. I, therefore, do not have the full details in respect of the smaller advertisement also shown on the same image. Moreover, the description of the advertisement on the appellant's appeal form only refers to the larger fascia sign. Therefore, and because this describes the proposal more accurately, I have used this description for the purposes my Decision and proceeded with the appeal on this basis.

Main Issue

5. The main issue is the effect of the proposed advertisement on the amenity of the area, including the CA.

Reasons

6. The appeal property comprises a four-storey building, plus basement, located on the west side of Shoreditch High Street. The ground floor is occupied by a commercial unit with residential floors above.
7. Shoreditch High Street is a wide throughfare, along the eastern side of the CA. Shoreditch High Street represents an historic commercial route in and out of the City and was lined with buildings by the 16th century. This part of the CA is distinctive because of its street layout with narrow back streets and alleyways extending off Shoreditch High Street. However, its built form is predominantly characterised by Victorian and Edwardian commercial and industrial development, comprising substantial 4-5 storey frontages of commercial premises with ornate architectural detailing lining parts of Shoreditch High Street. Therefore, the history and architecture of the area contribute to the significance of the CA. This is also a busy and vibrant area with a variety of commercial building and advertisement designs.
8. The appeal property is a historic building, on the corner of French Place. This property includes a distinctive light brickwork façade incorporating ornate stonework, an entrance door located centrally along the corner and an oval shaped feature window within an ornate stonework surround above this. These features and its location give the appeal property a distinctive appearance and prominence within the street scene.
9. Notwithstanding its distinctiveness, the appeal property also shares a degree of uniformity with the attractive terrace block to the north. This includes a similar, scale, fenestration and shopfront arrangements. Also, most of these buildings exhibit modest fascia signs which are incorporated into the shopfronts. Indeed, based on the appellants evidence, historically the appeal property also benefitted from a similar arrangement. As such, these buildings, including the appeal property contribute positively to the character and appearance of the area and the significance of the CA.
10. Whilst there would be no negative impact to the amenity of neighbouring occupiers, in stark contrast to the prevailing arrangement of fascia signs on nearby buildings, the proposed advertisement, because of its scale would be out of proportion with most other fascia signs in the area. Moreover, the siting of the proposed fascia sign would uncharacteristically and unnecessarily obscure fenestration and architectural details and dominate nearly the entire first floor façade of the appeal property. Albeit temporary, the proposal would unacceptably alter the appearance of the appeal property. This would be highly visible and incongruous in views from along Shoreditch High Street within the CA.
11. I have taken account of other larger signage in the area, whilst I do not have the full details of these, most appear to be purposely designed advertisement hoardings or shrouds on the facades of buildings to screen construction activity. Therefore, these do not alter my findings on the proposal.
12. For the above reasons, the proposal would harm the character and appearance of the appeal property and the CA. As such, the proposed advertisement would be detrimental to the visual amenity of the area.

13. In reaching my conclusion, I have taken account of Policies D4 and HC1 of the London Plan 2021 and Policies LP1, LP3 and LP7 of the Hackney Local Plan 2033 (2020) in so far as these are material to amenity. These require, among other things, that proposals are of high-quality design and that they preserve or enhance the character or appearance of conservation areas. Accordingly, the proposal would also conflict with the visual amenity aims of the Framework.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR