



Appeal Decision

Site visit made on 23 January 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12TH February 2024

Appeal Ref: APP/U5360/Z/23/3331863

Sheraton House, 118 Curtain Road, Hackney, London EC2A 3PJ

- 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 against the decision of the London Borough of Hackney Council.
 - The application Ref 2023/1219, dated 25 May 2023, was refused by notice dated 12 October 2023.
 - The advertisement is a marketing sign for redevelopment leasing campaign.
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Decision

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

Procedural Matters

2. This appeal relates to an application for advertisement consent for an advertisement at the appeal property that has been implemented, therefore the application is retrospective, and I have determined the scheme accordingly.
3. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published the revised National Planning Policy Framework (the Framework) on 19 December 2023. I consider that there have been no major changes relevant to the main issue in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issue

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets out that powers under those Regulations shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
5. From my reading of the material submitted for the purposes of this appeal the main issue is the effect of the advertisement on the character and appearance of the appeal property and that of the local area.

Reasons

6. The advertisement is non illuminated printed fabric panel fixed to the front elevation of the appeal property at first and second floor levels, extending almost to the full width of the building. The advertisement consent is sought for a year, to assist with marketing of the buildings redevelopment.
7. The appeal property is a vacant mid-20th Century building with some signs of dilapidation, which appears to have been in use as a warehouse. It sits toward the middle of Curtain Road, which is a street with a variety of building types, scale, and age, which reflects the general character and appearance of the wider local area.
8. It is located within the boundary of the Central Shoreditch Character area of the South Shoreditch Conservation Area (the CA). The significance of this part of the CA is defined by its historic street pattern and mid-rise buildings which reflect a mix of retail and warehouse buildings, which produce a dense and intimate streetscape. The appeal property is noted in the South Shoreditch Conservation Area Appraisal and Management Plan (the SSCAMP) as making a neutral contribution to the significance of the CA.
9. The Conservation Area is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
10. Whilst the advertisement does screen the somewhat dilapidated appearance of the front elevation of the appeal property, there are other ways that this could be managed. I have therefore only afforded this limited weight in my considerations and have considered the advertisement on its own visual impact.
11. Although Curtain Road and the immediate local area appear generally vibrant, , there are however properties, including the appeal property that appear to have been either fully or partly vacant. The local area has also been undergoing change from its historic uses for some time, with evidence of greater residential, cultural and educational uses now appearing in the street.
12. The visual result of these new uses and activities is evident on the upper floors of buildings in the area, where there are many window displays at first and second floor levels. Within the wider area, there are also large advertisement displays at first and second floor level, which are visible from the site of the appeal advertisement.
13. Within this context, the non-illuminated advertisement appears to reflect the general character and appearance of the local area and its streetscene. As an addition to a property that makes a neutral contribution to the CA, the advertisement has no significant effect on its contribution.
14. For these reasons, I find that the advertisement results in no significant harm to the character and appearance of the appeal property, or that of the local area. I further find, for the reasons given above, that the proposed advertisement would preserve the character and appearance of the CA and cause no harm to its significance.

15. This would accord with Policies LP3 and LP7 of the Hackney Local Plan 2033 (2020), Policies D1, D8 and HC1 of the London Plan 2021 and Sections 12 and 16 of the Framework. Collectively these seek, amongst other matters, to ensure the quality and character of places, and that advertisements have regard to the local character and context of an area and its visual amenity, and to the importance of preserving or enhancing heritage assets.

Conditions

16. I have not thought it necessary to attach any further conditions in addition to the standard conditions set out in schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Conclusion

17. The appeal is allowed.

Victor Callister

INSPECTOR