



Appeal Decision

Site visit made on 27 February 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th March 2024

Appeal Ref: APP/K5030/H/23/3329659

122 Minories and 14 Crosswell, City of London, London EC3N 1NT

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Mr Alex Kamenou of Executive Developments Ltd against the Council of the City of London.
 - The application Ref is 23/00512/ADVT.
 - The advertisement proposed is a temporary decorative scaffold shroud comprising a 1:1 image of the building façade with an inset advertising area measuring 16.5 metres wide x 9 metres high for a period of 9 months during scaffolding and building works.
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Decision

1. The appeal is dismissed and express consent for a temporary decorative scaffold shroud comprising a 1:1 image of the building façade with an inset advertising area measuring 16.5 metres wide x 9 metres high for a period of 9 months during scaffolding and building works is refused.

Main Issue

2. Following the submission of the appeal against non-determination, the Council has confirmed that it would have recommended refusal if it had had the opportunity to make a decision. From the evidence I have before me, together with observations from my site visit I consider the main issue to be the effect of the advertisement on amenity, including the setting and significance of a Grade II listed building.

Reasons

3. The appeal site is located on the corner of Minories and Crosswell within a predominantly commercial and retail area. There are limited modestly sized advertisements close to the site in the form of projecting and shop fascia signs as well as street lighting, traffic lights and road signs. There are no large-scale advertisements in the area.
4. The Grade II listed building of Ibex House is located opposite the appeal site on Minories. As such, the appeal site has a sensitive context. The significance of Ibex House includes its 'modernistic' architecture and associated appearance, comprising black and buff coloured glazed terracotta and continuous window bands. The setting of the listed building comprises the street scene within which it is located, including the appeal site. In line with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have

paid special attention to the desirability of preserving the setting of Ibex House.

5. My attention has been drawn to the Planning Practice Guidance (PPG). It states that buildings which are being renovated or are undergoing major structural work, and which have scaffolding or netting around them, may be considered suitable as temporary sites for shroud advertisements or large 'wrap' advertisements covering the face, or part of the face, of the building¹.
6. However, as set out in the Regulations², advertisements should be subject to control in the interests of amenity. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic interest. Therefore, as the PPG explains, if the locality where an advertisement is to be displayed has important historic or architectural features, consideration should be given to whether it is in scale and in keeping with these features³.
7. The proposed advertisement would occupy a relatively small proportion of the decorative shroud as a whole and is said to be necessary to fund the scheme. Nonetheless, it would wrap around the corner and would be situated at a high level making the proposal a conspicuous feature in this prominent corner location. It would be evident on approach to the site from either direction on Minories, and from Crosswell and Portsoken Street. It would also be apparent to the occupiers of the buildings on these streets.
8. Even if the advertising space would be filled with artwork designed by local school children for some of the time, the proposed advertisement would still occupy a significant proportion of the building on both Minories and Crosswell, appearing as an overly dominant and intrusive feature. Although the current appearance of the appeal site is not particularly visually appealing, I do not find that it has the same dominating effect as the proposal would. Therefore, I attribute limited weight to this matter.
9. Although located within a busy commercial area, and while shrouds may well be typically seen within urban street scenes, there is little advertising in the vicinity and none of the scale of the proposal. The majority of advertisements are associated with the retail and commercial uses located at ground floor level. I did not note any other advertisements of a similar scale to that proposed on the upper floors of buildings in the surrounding area. Consequently, from all vantage points, owing to its size and position the proposal would appear as an unduly strident feature within the street scene.
10. Were the proposal to be illuminated as indicated by the appellant this would only exacerbate the visual intrusion of the advertisement given the absence of large scale illuminated advertisements in the surrounding area. The appellant has suggested that a condition could be imposed to mitigate the illumination levels or to prohibit illumination altogether. However, this would not resolve the visual effect of the proposal, nor would a reduction in size as a result of its prominent placement above ground floor level.
11. The appeal site has a close physical and visual relationship with Ibex House and forms part of its setting. Taking into account my above findings that the

¹ Paragraph: 005 Reference ID: 18b-005-20140306

² Town and Country Planning (Control of Advertisements) (England) Regulations 2007

³ Paragraph: 079 Reference ID: 18b-079-20140306

proposal would not blend into the townscape and rather would be a conspicuous and intrusive feature, it follows that the proposal would have a harmful effect on the setting and significance of Ibex House.

12. On approach to the appeal site from all streets the proposal would appear starkly in contrast to, and detracting from what is otherwise, a predominantly advertisement free view of Ibex House. As such, due to the proposal's location and extent in relation to Ibex House, viewed in this context, the advertisement would appear out of place, detracting from the street scene and the heritage asset in views along Minories, Crosswell and Portsoken Street. As such, the proposal would have a detrimental effect on the asset's setting and would consequently not preserve the listed building's special architectural interest.
13. The proposed 1:1 image of the building would add interest to the street scene during the construction period and would signal to passers-by that a regeneration project was underway. However, these benefits would be outweighed by the harm that would result from the proposed inset advertisement. While the advertisement would only be displayed for a temporary period, this is not sufficient justification to allow a proposal which would have a harmful effect on amenity in this sensitive location.
14. I have taken into account the provisions of the development plan, of particular relevance to the appeal proposal are policies CS10, CS12, DM10.6 and DM12.1 of the City of London Local Plan (2015). These policies, amongst other things, seek advertisements that respect the restrained character of the City, resisting excessive or obtrusive advertising and the display of advertisements above ground floor level. Listed buildings and their settings should also be safeguarded. I have found that the proposed advertisement would be harmful to the amenity of the area, including the setting and significance of a Grade II listed building, as such the proposal would conflict with these policies.

Conclusion

15. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity. Therefore, the appeal is dismissed, and planning permission is refused.

F Harrison

INSPECTOR