
Appeal Decision

Site visit made on 25 July 2024

by Phillip J G Ware BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 August 2024

Appeal Ref: APP/V5570/Z/24/3344199

50 Exmouth Market, London EC1R 4QE

- 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 Andre Blais against the decision of the Council of the London Borough of Islington.
 - The application Ref P2024/0078/ADV, dated 9 January 2024, was refused by notice dated 20 March 2024.
 - The advertisement proposed is the display of 1no. non-illuminated fascia signage with associated downlighters, 1no. non-illuminated projecting signage and awnings.
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Procedural matter

1. The above description of the proposal is taken from the Council's decision notice and better describes the proposal than that given on the application form.

Decision

2. The appeal is allowed and express consent is granted for the display of the 1no. non-illuminated fascia signage with associated downlighters, 1no. non-illuminated projecting signage and awnings 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

3. There is one main issue in this case. That is the effect of the proposal on the amenity of the area, including the Roseberry Avenue Conservation Area.

Reasons

4. The application site is a three storey terraced building located on the south side of Exmouth Market. The building is currently occupied by a restaurant at ground floor level, apparently with ancillary space above. Exmouth Market, which is largely pedestrianised, is a relatively narrow thoroughfare with numerous shops and restaurants giving a lively and bustling character.
5. The area is within the Roseberry Avenue Conservation Area, which was the second of two highways in the area planned by the Metropolitan Board of Works in the late 19th century. It has a mixed architectural character, with generally wide roads and a much less domestic scale than Exmouth Market.

6. The proposal is for a fascia sign illuminated from above by gooseneck downlighters. It has apparently replaced a similar sign which previously in place, and the only concern of the authority is that it is slightly larger than the previous display and is therefore more visually dominant. No objection is raised to the method of illumination. Having looked at the proposal in the light of the variety of fascia signs in the Market, there is simply no persuasive evidence that it would be harmful to the amenity of the area in any way.
7. The proposed non-illuminated projecting sign is located between the first floor windows of the property, and apparently replaces one – albeit smaller – previously in place. As accepted by the Council, there are other upper floor projecting signs in the vicinity, although the authority maintains that these are exceptions rather than the norm. However one describes these other signs it is clear that the projecting sign would not be an isolated or discordant feature in this very mixed streetscene, added to which is the fact that it replaces a not dissimilar display.
8. Overall, neither element of the proposal would harm the amenity of the area and would preserve the character of the Conservation Area. It would meet the requirements of the test in s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Given that this is an advertisement appeal, the Council's policies are not in themselves decisive, however they are a material consideration. The proposal would not conflict with policies PLAN1 (Design principles), DH1 (Conserving and enhancing historic environments), DH2 (Heritage assets) and DH6 (Advertisements) of the Islington Strategic Development Management Policies (2023), nor with the guidance contained within the Islington Urban Design Guide (2017).
9. The Council has expressed concern that the awnings would not provide a safe and adequate ground clearance. However that matter is not before me.

Conclusion

10. For the reasons given above I conclude that the display of the advertisements would not be detrimental to the interests of amenity or public safety.

P. J. G. Ware

Inspector