



Appeal Decision

Site visit made on 30 September 2024

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2024

Appeal Ref: APP/U5360/Z/24/3344475

600 Kingsland Road, London E8 4AH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Sam Harrison, King Media Ltd, against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/0537.
 - The advertisement proposed is temporary static illuminated shroud advertisements.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The evidence before me indicates that the application sought consent for a temporary period until 15 July 2024. This pre-dates my site visit. Both main parties were therefore afforded an opportunity to comment on this matter during this appeal. The appellant indicated that the advertisements proposed are sought for a temporary, 14 week period and that they wish for this to begin in March 2025. The Council did not comment on this matter.
3. In the event that I was to grant advertisement consent for a temporary period, the time limit would commence from the date of my decision. I have nevertheless proceeded on the basis that consent is sought for a 14 week period and consider no party has been prejudiced by me doing so.

Main Issue

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that advertisement appeal decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance confirm this approach.
5. The Council has found that the advertisements would be acceptable in terms of public safety. From the evidence before me I see no reason to disagree.
6. Therefore, the main issue is the effect of the proposed advertisements on the visual amenity of the area, including the Kingsland Road Conservation Area (the KRCA).

Reasons

7. The appeal building is a grand, four storey building which occupies a prominent corner site on Kingsland Road with Dalston Lane. It is a focal point in the street scene due to its positioning, scale and traditional features.
8. The site is located within the KRCA where special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. The significance of this part of the KRCA appears to stem from its town centre fringe location and commercial thoroughfare with a plethora of uses on the ground floor of buildings which are commonly of a significant scale and architectural interest. The appeal building is identified within the Kingsland Road Conservation Area Appraisal (January 1998) as a strong robust building holding a landmark position.
9. Indeed, during my site visit I observed that the elevations of the building were in good visual condition, with attractive brick and stonework. It is a striking building which, along with the other notable corner buildings at this junction, contributes towards a strong sense of place and enclosure to this part of the street scene. Overall, it makes a positive contribution to the KRCA.
10. Advertisements in the immediate locality are predominantly small scale and low level, contained to the ground floor level of the commercial premises. The attractive detailing and features of the upper floors of buildings, particularly those at this prominent junction, can therefore be fully appreciated from public vantage points.
11. The proposed display of two large advertisements on the upper sections of a temporary scaffold shroud would be highly visible in the street scene. Long range views would also be achievable given the prominent position of the building. The raised positioning and significant size of the advertisements would be notably out of character in this locality.
12. I note the extensive planning history to the appeal site, particularly the previously granted consents for the same proposal, each on a temporary 1 year basis. In the allowed appeal¹ the Inspector found that the areas of advertising would exacerbate the harm the shroud causes to the character and appearance of the area. They did however go on to find that it would cause less harm than the alternative of a dismal plain shroud or unshrouded scaffolding and took into consideration the temporary 1 year period of consent. The most recent consent granted was for a further extension to the period of consent for the shroud and advertisements to account for delayed implementation of works.
13. I do not doubt that scaffold shrouds can offer aesthetic benefits in comparison to unshrouded scaffolding and the varied quality and condition of generic sheeting that typically covers scaffolding. It is suggested that the proposed advertisements would fund the cost of the higher quality shroud. However, the proposed inset advertising area at first and second floor would cover a considerable portion of each façade and they would be illuminated. As such, they would not be subservient to the 1:1 image of the building. Furthermore, the period of consent sought is limited and traditional scaffolding and shroud

¹ Appeal Ref: APP/U5360/Z/22/3303107

materials would not be an unusual temporary feature in this commercial location for a short period of time.

14. The positive weight I afford to a higher quality shroud is further tempered by the consideration that the harm I have identified above would endure for the full period of consent. I note the suggestion that the advertisements may only be present for some 50% of the intended display period thereby reducing any effect, however there is no mechanism before me to secure this.
15. Whilst consent is sought for only 14 weeks, the evidence before me indicates that renovation works have been undergoing at the appeal property for a considerable length of time. The additional consent period sought through this proposal reflects a further protraction of the project programme. Harm has endured and would continue to do so for an excessive total period of time based on the evidence before me on the history of advertisements on shrouds around the appeal building.
16. Therefore, on balance, the proposed advertisements would have a greater harmful effect on the character of the area than any time limited harmful effect of the scaffolding with likely plastic sheeting, taking account of the particular circumstances of this case.
17. The appellant states that the proposal would result in wider economic benefits from commercial sponsorship however little detail is before me. I cannot therefore quantify such benefits and thus afford them no more than limited weight in favour of the proposal, which is insufficient to outweigh the identified harm.
18. Taking all the above into consideration, the proposed advertisements would harm amenity and would not preserve the character or appearance of the KRCA. I have taken into account policies D4, D8 and HC1 of The London Plan: The Spatial Development Strategy for Greater London (March 2021) and policies LP1, LP3 and LP7 of the Hackney Local Plan 2033, Strategic Planning (July 2020) which seek to ensure advertisements protect amenity and preserve heritage assets, and so are material in this case. As I have found harm to amenity there would be conflict with these policies, but they are not a determining factor as noted above.

Conclusion

19. For the reasons given above, the appeal should be dismissed.

H Ellison
INSPECTOR