



Appeal Decision

Site visit made on 9 December 2024

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2024

Appeal Ref: APP/U5360/Z/24/3350850

331 Old Street, London EC1V 9LE

- 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 of King Media Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/1322.
 - The advertisement proposed is the display of externally illuminated 5.4m x 3.9m banner advertisement fixed to scaffolding at 5m above ground level for a temporary period.
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Decision

1. The appeal is dismissed.

Main Issue

2. 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.
3. 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.
4. Therefore, the main issue is the effect on the amenity of the area, with regard to the character and appearance of the South Shoreditch Conservation Area.

Reasons

5. The appeal site comprises a narrow four-storey building within a parade of buildings to one side of Old Street. The building is identified by the Council as a Building of Townscape Merit and sits amongst a rich and varied collection of historic assets forming part of the wider South Shoreditch Conservation Area (CA). As required by Section 72 (1) of the Act, I have paid special regard to preserving or enhancing the character or appearance of a conservation area.
6. The distinctive character of the CA comes from the mix of grand, four and five storey former retail and warehouse buildings that line the main thoroughfares. The site is within the Hoxton Square Character Area, which has a very distinctive character of mainly four storey brick buildings. Fascia and hanging signs are prevalent in the area and are typically below first floor level and assist in characterising the commercial activity in the area.

7. The building has an attractive commercial character, with wide Crittal windows and flat stone lintels flanked by brickwork pilasters. A curved stone pediment inscribed with 'H. Snuggs & Co.' provides a pleasing finish to the building whilst acknowledging its history. The building occupies a prominent position close to junction of the wide, open corridors of Old Street and Curtain Street, where the building forms part of a terminating vista in views along Curtain Street.
8. The proposal is for a shroud incorporating a 1:1 illustrative replication of the existing front elevation. The shroud would present an undoubtedly neater and more contained appearance than the exposed scaffolding and associated building works it is intended to screen. An advertisement would occupy a central position on the shroud covering the upper sections of the building with the surround displaying the illustrative replication of the front of the building. The proposed advertisement would fund the cost of the shroud, which would offer aesthetic benefits in comparison to unshrouded scaffolding and the varied quality and condition of generic sheeting that typically covers scaffolding.
9. However, the advertisement would occupy an elevated position and would be highly visible in the street scene. Long range views, particularly from Curtain Street, would also be achievable given the prominent location of the site. The raised positioning and size of the advertisement would be notably out of character in this locality. It would thereby introduce an incongruous and discordant feature that would fail to preserve the character or appearance of the CA and would be at odds with local visual amenity.
10. The shroud and advertisement would be an ephemeral feature of the street scene. However, 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. Moreover, traditional scaffolding and shroud materials would not be an unusual temporary feature in this commercial location for a short period of time.
11. The appellant states that the advertisements may only be present for some 50% of the intended display period thereby lowering any effect. Nevertheless, there is no mechanism before me to secure this. Accordingly, the benefits are of limited weight and do not outweigh the harm that would be caused to amenity, including to the CA.
12. I have taken into account Policies D8, HC1, of the London Plan 2021 and Policies LP1, LP3 and LP7 of the Hackney Local Plan 2020, which seek to protect amenity and so are material in this case. Given I have concluded that the sign would harm amenity, the proposal would conflict with these policies.

Conclusion

13. For the reasons given above the appeal should be dismissed.

J Pearce

INSPECTOR