



Appeal Decision

Site visit made on 2 May 2025

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2025

Appeal Ref: APP/U5360/Z/25/3360407

123-124 Shoreditch High Street and 388 Old Street, London E1 6JE

- 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 2024/1241.
 - The advertisement proposed is an externally illuminated shroud advertisement (12.2m wide x 6.6m high).
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Decision

1. The appeal is allowed, and express consent is granted for the display of an externally illuminated shroud advertisement (12.2m wide x 6.6m high) at 123-124 Shoreditch High Street and 388 Old Street, London E1 6JE in accordance with the terms of the application, Ref 2024/1241. The consent is for 33 weeks from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:
 - 1) The advertisement permitted by this consent and any structures erected or used principally for the purpose of displaying the advertisement shall be removed from the site no later than 33 weeks from the date of this decision.
 - 2) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 300 candelas per square metre and shall comply with the recommendations of the Institution of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements.
 - 3) The advertisements shall only be illuminated inside the hours of 0700 and 2300 and should be switched off at all other times.

Procedural Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered 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. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

3. The appeal site lies within the Shoreditch Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) applies to the exercise of functions under the Planning Acts. I have therefore had special regard to section 72(1) of the Act in so far as it relates to the consideration of 'amenity'.

Main Issue

4. The Council has expressed the view that the proposed advertisement would not have an unacceptable effect on public safety. I find no reason to take a contrary view. The main issue is therefore the effect of the proposed advertisement on visual amenity, with particular regard to the character and appearance of the CA.

Reasons

5. The appeal property is a handsome 4-storey Victorian building featuring red brick elevations with decorative stone window surrounds and cornices. It occupies a highly prominent corner site at the busy, heavily trafficked junction between Shoreditch High Street and Old Street. The property has been identified by the Council as a building of townscape merit and positively contributes to the character and appearance of the CA. There are a number of listed buildings close by including the Grade I listed Church of St. Leonard, opposite the appeal property, and the Grade II listed 125-130 Shoreditch High Street, immediately adjacent.
6. The appellant intends to carry out restoration and refurbishment works to the appeal property's street frontages. To do this scaffolding would need to be erected. I am mindful that scaffolding without advertising on it can be erected without the need for consent and therefore such a scenario represents a likely fall-back position to which I attach significant weight.
7. The appeal proposal would comprise the wrapping of the scaffolding with a shroud that would depict the building's façade at a scale of 1:1. Within the main face of the shroud an approximately 12.2m wide x 6.6m high space would be dedicated for use as an advertisement area. The facade image would be fixed for the duration of the advertisement consent whilst the appearance of the advertising area would change over time. Express consent is sought for the proposed advertisement to be in place for 33 weeks whilst the refurbishment works are ongoing. The proposal also includes the installation of a small number of floodlights above the advertisement area.
8. I fully appreciate that the street frontages of the appeal property require refurbishment and give significant weight to the long term enhancement to the character and appearance of the CA that would result from these works. The installation of a shroud with a 1:1 image of the appeal property's main façade during the temporary period of the refurbishment works would have a lesser visual impact than would occur with standard scaffold sheeting. Whilst the advertising area would be large, it would occupy a small proportion of the overall shroud and as such would not be an overly dominant element in this instance. The proposed illumination would not be out of place in this busy and well-lit area.
9. The proposed advertisement would be visible from within parts of the appeal property and will therefore affect occupiers' visual amenity. The effect will be limited in duration and not appreciably different from that resulting from the installation of standard builders' scaffold coverings. I am conscious that the colour

and transparency of this cannot be controlled and could therefore result in a greater impact on the amenity of occupiers. The Council has noted that impacts resulting from the proposed illumination could be mitigated by the imposition of planning conditions. I find no reason to take a contrary view.

Other Matters

10. The Council has referred to a number of appeal decisions relating to advertisements on nearby buildings, details of which are not before me. As each application and appeal needs to be considered on its individual merits I attribute limited weight to these matters.

Conditions

11. To adequately protect visual amenity, particularly in respect of local residents, I consider it necessary to impose conditions to limit the intensity and the duration of use of the external illumination. For the avoidance of any future doubt it is also necessary to impose a condition that explicitly limits the period within which the proposed advertisement can be displayed.

Conclusion

12. For the reasons set out under the first main issue, and having regard to all other matters raised, I conclude that the appeal should succeed.

S Poole

INSPECTOR