



Appeal Decision

Site visit made on 28 May 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2025

Appeal Ref: APP/U5360/Z/25/3364044

201-207 Shoreditch High Street, Hackney, London E1 6LG

- 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 Digital Shoreditch Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/0704.
 - The advertisement proposed is for the display of three freestanding LED digital advertisement displays and an advertising banner.
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Decision

1. The appeal is allowed and express consent is granted for the display of three freestanding LED digital advertisement displays and an advertising banner at 201-207 Shoreditch High Street, Hackney, London E1 6LG in accordance with the terms of the application, Ref 2024/0704. The consent is for three years 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 advertisements permitted by this consent and any structures or hoardings erected or used principally for the purpose of displaying the advertisements shall be removed from the site no later than three years from the date of this decision.
 - 2) The LED digital advertisement displays permitted by this consent shall include static images only, shall not be illuminated by flashing or intermittent lighting and the minimum time between image changes shall be at least 10 seconds.
 - 3) The intensity of the illumination of the LED digital advertisement displays permitted by this consent shall be no greater than 600cd/sqm during daylight hours and 150cd/sqm from dusk until dawn.

Background and Main Issue

2. The Council has answered 'yes' to question 4 on the appeal questionnaire stating that one of the grounds for the refusal was 'Public Safety' involving highway or traffic considerations. The officer's report which informed the Council's decision merely gives a long list of previous planning history to the site and a single recommended reason for refusal. There is no analysis or assessment of the proposal. I have been provided with a copy of an internal email stating that *'Streetscene objects to this application'* and expressing concerns in relation to safe operation of the highway. An accompanying illustrative plan shows the number of

slight and serious collision incidents in recent years within the locality. Notwithstanding, the Council's formal decision notice has a single reason for refusal that relates only to amenity.

3. There is no evidence that Transport for London objected to the proposal. I also note that the major cluster of slight and serious collision incidents that have been identified are centred around a busy signal-controlled junction 30m or so to the south of the appeal site's frontage where the advertising banner and two of the three proposed LED displays would be positioned. In this location, incidents on the immediately adjoining highway are low and only slight. There is no further information to inform me of the nature of these or the timeframe within which they occurred. In addition, given the extreme commercial character of the locality, the prolific range of existing advertisements in the area, and my own observations on site which did not identify any potential cause for danger to road users, I have no clear reason to disagree with the Council's formal decision, which raised no concern relating to public safety. The main issue therefore is the effect of the proposal upon amenity.

Reasons

4. The appeal relates to an L-shaped vacant plot of land with a frontage to the east onto the wide and heavily trafficked Shoreditch High Street. To the south side it has a long return to Fairchild Street, a narrow one-way street, and is set against an immediate backdrop of a flat elevation to a derelict three-storey building to the west with modern high rise blocks beyond, and an elevated railway viaduct which sweeps in a curve to its northern side. It sits within the South Shoreditch Conservation Area (CA). The Council's *CA Appraisal and Management Plan* assists in setting out the significance of the CA as being derived from its historic association with furniture and printing industries and the buildings that have survived from that period.
5. The site is bound to its street frontages by over 2m high solid timber hoardings, save for a steel and mesh gated entrance. At the time of my visit the hoardings and backdrop building were heavily and informally graffitied, and the site was partly occupied by a number of stacked, blue coloured shipping containers. In summary, its redundant and derelict appearance is deeply unappealing and contributes negatively to the character and appearance of the CA.
6. The application is to display two 6m high by 4m wide digital media screens, raised 2.8m above ground level at either side of the site's Shoreditch High Street frontage. They would be just under 20m apart and angled slightly facing each other with a non-illuminated advertising banner recessed a little into the site running parallel to Shoreditch High Street and spanning the gap between both screens. A single, similar sized and elevated screen is proposed in the south-west corner of the site where Fairchild Street joins Great Eastern Street. This would be orientated to face traffic travelling north-west along Great Eastern Street. The other two would be orientated to face traffic travelling either north or south along Shoreditch High Street. The LED screens would be illuminated with sequential static images that would change after no less than 10 seconds, with maximum luminance of 600cd/sqm during daylight hours and 150cd/sqm from dusk until dawn, within the guidelines set by the *Institution of Lighting Professionals Lighting Guide 05 – Brightness of Illuminated Adverts*. The appellants advise that the displays would be switched off entirely between midnight and 6am.

7. The advertisement application was submitted in conjunction with a planning application (Ref 2024/0193) by Shoreditch Art Garden for the temporary use of the site for an art-focused food and drink venue and associated installation of single-storey shipping containers. According to the Council's on-line planning portal the application was undetermined at the time of writing this decision. The advertisement consent application was made specifically for a similar temporary three-year period.
8. The signage would be undeniably large and prominent. Nevertheless, the displays to both Shoreditch High Street and Fairchild Street would be set within a very busy and vibrant commercial location where illuminated advertisements are common, including some in elevated positions, as well as large banner signs shrouding some buildings, externally illuminated in some cases. Furthermore, the proposed signs in all cases would be seen against the backdrop of the site itself, and either the derelict building to the west and the contemporary high-rise buildings beyond, or the utilitarian railway viaduct. There is no information before me to suggest that the appeal site is part of any important views within the CA or sits next to any landmark buildings. Neither did that appear to be the case based upon my own observations.
9. Although the proposal would add new advertisements to the area, they would not appear cluttered in relation to any existing. Given the current condition of the appeal site and its visual impact when observed from its surroundings, the proposal would add interest and character to the site and serve to enhance the appearance of the immediate area. By so doing it would preserve the character and appearance of the CA without harm to its significance as a designated heritage asset.
10. Overall, I am satisfied that the proposal would not harm the amenity of the area. The Council has quoted several policies from The London Plan 2021 (LP) and the Hackney Local Plan 2033 (HLP), adopted in 2020, in their reason for the refusal. I have taken into account LP Policies D4 and HC1 and HLP Policies LP3 and LP7. Between them these seek to ensure good design which protects amenity and avoids harm to heritage assets and so they are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with any of these policies.

Conditions

11. The application was made specifically for a temporary three-year period therefore the consent is only for the period sought. Furthermore, I am mindful of the site's transient condition and that the proposed signage would be unlikely to be acceptable in the long term given the site's development potential. Therefore, in addition to the five standard conditions I impose a condition that would require the signage to be removed from the site no later than three years from the date of this decision. This is necessary in the interest of amenity.
12. The Council indicated that they are satisfied that no further conditions are necessary in the event of the appeal succeeding. Nevertheless, and in line with suggestions by the appellants, I have included conditions to control the intensity of illumination to be within the guidelines set by the Institute of Lighting Professionals and in line with the specific details of the application, including with regard to flashing images and the amount of time between image changes. These are necessary for the avoidance of doubt and in the interests of both visual amenity and public safety.

Conclusion

13. For the reasons given, the appeal succeeds.

John D Allan

INSPECTOR