



Appeal Decision

Site visit made on 27 May 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25th June 2025

Appeal Ref: APP/U5360/Z/25/3360749

144-148 Shoreditch High Street, Hackney, 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 Blow Up Media UK Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2024/2727.
 - The development proposed is temporary decorative scaffold shroud comprising a 1:1 coloured printed replica image of the building facade with an inset sponsors advertising space measuring 22 x 7 metres.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located within the South Shoreditch Conservation Area (the CA). When dealing with an appeal for an advertisement in a Conservation Area, the test from Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) is that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area”. This statutory duty applies in advertisement appeals insofar as it relates to the consideration of ‘amenity’.
3. As part of their submission, the appellant has put forward the prospect that the advert would likely be used intermittently; however, I have no mechanism to control it as such. I have therefore assessed the proposal based on the evidence before me, which seeks its display for 6 months.

Main Issue

4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets out that powers under those Regulations shall be exercised only 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.
5. The Council does not object to the siting of the advertisement on public safety grounds, and following my site visit, I see no reason to disagree. Therefore, the main issue is the effect of the proposed advertisement on amenity grounds and the visual amenity of the host building and the surrounding area, including the CA.

Reasons

6. The appeal building is a four-storey building located on the corner of Shoreditch High Street (SHS) and French Place. The appeal site forms part of a terrace of buildings which range in height, with SHS containing a mix of retail and commercial office uses. The significance of the CA appears to derive from its historical use as one of the main routes into and out of the City. Whilst some buildings are more modern when viewing the appeal site from a distance, there is a clear character of Victorian and Edwardian buildings lining the street with ornate architectural detailing. The upper floors are predominantly free of visual clutter, allowing the facades to be appreciated. The history and architecture of the area contribute to the significance of the CA.
7. The proposal seeks temporary permission for 6 months to erect a shroud around the scaffolding while the appeal property undergoes restoration works to its façade. The shroud would display a coloured 1:1 image montage of the host building and would incorporate an advertisement display approximately centrally to the SHS elevation.
8. I am mindful of the advice within the PPG and acknowledge that scaffolding around buildings is not an uncommon sight. I also acknowledge that the shroud with a facsimile of the building would enhance the proposed scaffolding and make a positive contribution to the character and appearance of the CA. Even if the proposed shroud would maintain an image of windows to either side on the SHS elevation, proportionately, the proposed advertisement would screen a significant amount of this decorated shroud.
9. I note that the wholesale 1:1 replica of the building may not be commercially viable; however, the advertisement would be the dominant feature on the most prominent elevation, attracting attention to something that it is designed to disguise, the scaffolding. Its scale would result in a discordant feature within the street scene, harmful to the visual amenity of the host building, and the character and appearance of the surrounding area, including the CA.
10. Whilst there is optional lighting proposed to the advertisement area, this would only serve to draw attention to its prominence. I have considered a condition omitting the lighting or controlling its hours of illumination; however, given the above findings, it is not possible to impose a condition to make an otherwise unacceptable development acceptable.
11. The appellant has drawn my attention to appeal¹ at 2-4 Great Eastern Street. Whilst the nature of the proposal is similar, this case relates to two advertisements, on alternative elevations. Paragraph 12 of the Decision states that the proposed advertisement would cover approximately 20% of the shroud on each elevation. Whilst I have not been provided with percentages to make a comparison, the advertisement in the case before me would be a large feature on the SHS elevation, which the appellant does not dispute. Given the overall size of the advertisement compared to the surrounding 1:1 replica, it would be the dominant feature on the SHS elevation, likely occupying significantly more than 20% of the shroud. As such, the circumstances of this appeal are not directly comparable.

¹ APP/U5360/Z/24/3353432

12. My attention has been drawn to other “large-scale advertisements in the immediate vicinity”. However, I have not been provided with the circumstances relating to their presence, and therefore, it is unclear if the circumstances are directly comparable. Notwithstanding this, their presence does not provide justification for the display of harmful advertisements.
13. I also saw an advertisement on the adjacent building 149/150 SHS, which was set at the first floor and projected approximately up to the cill of the windows at the second floor. Whilst it consumed a large portion of the SHS elevation and part of the corner with French Place, it was restricted to the first floor only, and thus a significant portion of the host building was retained. Given the difference in size of the advertisement, this case is not comparable to the appeal before me.
14. Reference has been made to a fallback position, this being plain scaffolding or scaffolding with standard netting/sheeting as screening. Whilst I do not have the full details, from the appellant's montage, it would likely screen approximately the whole appeal site and would be visible from SHS and the surrounding area, including the CA. Scaffolding with or without netting, however, is not unusual whilst building/renovation works are being undertaken and, without any advertisements attached, it would not, in my mind, draw attention to the upper floors, which would be the case with the appeal before me. In this case, the proposal would cause more harm than the fallback scheme.
15. I conclude that the proposed advertisement, even for a temporary period, would have a harmful effect on the visual amenity of the area.

Other matters

16. The matter of whether the proposed advertisement would result in less than substantial or substantial harm raised by the Council and whether this harm is outweighed by the public benefits, outlined in paragraphs 212-215 of the National Planning Policy Framework, are not relevant to matters in this appeal, as the policy only applies to heritage-related consent regimes under the 1990 Act and does not relate to the amenity of the area. Whilst I acknowledge that the building works would likely improve the external fabric of the building, any public benefits with regard to the character and appearance of the area have limited weight.
17. Even if the proposed advertisement were to generate revenue, which would go towards funding the building restoration works, this matter is not sufficient to outweigh the harm identified above.
18. I note that the appellant's extract of the Council's policy for temporary advertisements states, amongst other matters, that the addition of advertisements (on shrouds) harmfully affects the visual amenity of the area. However, in my mind, it does not state that there is a blanket prohibition on advertisements on shrouds. Rather, that each application and appeal be determined on its own merits.

Conclusion

19. For the reasons given above, and having regard to all other matters, the appeal should be dismissed.

L Clark

INSPECTOR