
Appeal Decision

Site visit made on 19 June 2025

By SJ Desai BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/U5360/Z/25/3364574

38 Stamford Hill, Hackney, London N16 6XT

- 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 Infinity Outdoor Ltd against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/0189.
 - The proposed advertisement is described as 'Display of a portrait LED advertisement digital screen, of 4m(w) x 6m(h) on the southern flank wall of 38 Stamford Hill'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and paragraph 141 of the National Planning Policy Framework (the Framework) state that advertisements should be subject to control in the interests of amenity and public safety. In accordance with the Regulations, I have taken into account the provisions of the development plan only in so far as they are material.

Main Issues

3. The main issues are:
 - the effect of the proposed advertisement on amenity; and,
 - the effect of the proposed advertisement upon public safety.

Reasons

Amenity

4. The site comprises the exposed flank wall of an end-of-terrace building, constructed from yellow stock brick with rendered sections. These materials complement the traditional palette and characteristics of the wider terrace, contributing positively to its established appearance. The surrounding area exhibits a mixed character, comprising retail and commercial uses predominantly at lower levels, and residential uses that line the heavily trafficked A10 corridor at the junction of Stamford Hill and Manor Road. At present, no advertisement is displayed on the flank wall of the site.

5. The proposal involves installing a 6m x 4m internally illuminated digital advertisement screen on an elevated section of the building's flank wall, mounted flush to the surface. The screen would occupy a substantial portion of the elevation.
6. The immediate streetscape is notably absent of large-scale, high-level advertisements. I also note that a previous appeal¹ relating to unauthorised structures on this flank wall was dismissed in 2024, in part due to their visual impact. While that decision concerned different physical elements, it reinforces the sensitivity of this location to visually prominent interventions.
7. In this context, the proposed digital display, as a result of its substantial scale, siting on the flank of the building and its proximity to the footway, would appear visually intrusive, unduly dominant, and overbearing. It would fail to integrate with the architectural language of the host building.
8. The advertisement would be clearly visible from a range of public vantage points along Stamford Hill and Belfast Road. Its modern digital appearance, scale, and siting would contrast starkly with the traditional materials and architectural rhythm of the site and wider terrace. As such, it would constitute an incongruous and jarring addition.
9. The digital illumination of the panel could be regulated through ambient light sensors and conditions consistent with industry standards. However, this does not negate the significant harm arising from the advertisement's physical presence.
10. Advertisements have previously been displayed on the flank wall of the site. I have also been referred to an appeal decision² involving a similar but smaller advertisement than now proposed at the site. However, no information on the context of that decision, or the decision itself has been submitted in the present case, and I therefore give it limited weight. The Council's officer report for a 2015 grant of advertisement consent³ indicates that the key determining factor was the fact that the proposal involved replacing an established advertisement. However, there are currently no advertisements at the site. Consequently, the factual and visual context has materially changed, and I find that the circumstance of this earlier decision differs markedly from those presently before me. None of these previous consents therefore lead me to conclude that the appeal proposal would be acceptable.
11. For the reasons given, I therefore find that the proposal would harm the amenity of the area. As far as it is material it would therefore also conflict with Policies D3 and D8 of the London Plan (2021) (LP) and Policies LP1, LP7 and PP1 of the Hackney Local Plan (2020), which amongst other matters, require advertisements to respect local character and context and be of the highest urban design quality.

Public safety

12. The advertisement would be readily visible to drivers and other road users negotiating a complex signal-controlled junction, involving multiple turning movements, pedestrian crossings, and relatively high traffic volumes. While the Planning Practice Guidance (PPG)⁴ recognises that advertisements are designed

¹ Reference: APP/U5360/C/23/3322160.

² Reference: 2007/1116.

³ Reference: 2015/1084.

⁴ Paragraph 067 Reference ID: 18b-067-20140306

to attract attention and that digital signage is no longer unusual in urban settings, it also emphasises that advertisements situated at locations where drivers must take additional care, such as junctions and pedestrian crossings, are more likely to present safety risks due to the increased risk of distraction.

13. The display would be especially prominent to road users approaching from the south arm of the junction. This location already demands high levels of attentiveness due to the number of signal phases, turning lanes, cycle and pedestrian movements. The introduction of a large, illuminated advertisement in this setting would create an avoidable visual distraction, increasing the cognitive requirement for drivers and other road users, and heightening the potential for collisions, especially during hours of darkness.
14. I have afforded appropriate weight to the representation from Transport for London (TfL), the relevant highway authority, noting that they have raised no objection to the proposal. Nevertheless, I am equally mindful of the Council's evidence highlighting a pattern of both slight and serious collisions in the immediate vicinity in recent years. Having carefully considered the submitted material and undertaken my own observations on site, I am not persuaded that the proposed advertisement would avoid contributing to a further risk to highway safety. In my judgment, the potential for additional driver distraction in this context cannot be ruled out.
15. In reaching these conclusions I note the ability to regulate brightness and content through conditions. However, these measures would not outweigh the concerns identified above.
16. Therefore, the advertisement display would harm public safety. As such the proposal, as far as it is material, would also conflict with Policies D8, T1, T2 and T4 of the LP and Policies PP1, LP41, LP42 and LP43 of the HLP.

Other Matters

17. The planning statement refers to eight examples of other advertisements in the vicinity. However, based on the limited information before me, none of these other examples appear to be positioned at an elevated level or attached to a building. Furthermore, each case depends on its specific context, and the scale, position and siting here are key considerations. Without full details of those other cases, no direct comparison can be made. In any case, I have assessed this appeal on its own merits, and the presence of other advertisements does not justify the harm to amenity at this site.

Conclusion

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

SJ Desai
INSPECTOR