



Appeal Decision

Site visit made on 11 November 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/V5570/H/25/3371868

36 Old Street, Islington, London EC1V 9AE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Phil Hulme of Global Street Art against the Council of the London Borough of Islington.
 - The application Ref is P2024/3722/ADV.
 - The advertisement proposed is display of hand painted murals.
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Decision

1. The appeal is allowed and express consent is granted for the display of hand painted murals at 36 Old Street, Islington, London EC1V 9AE in accordance with the terms of the application, Ref P2024/3722/ADV, dated 16 December 2024. The consent is for five 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 condition:
 - 1) The advertisement hereby approved shall be displayed in the position shown on the amended drawing, titled Elevation v2.

Preliminary Matters

2. This appeal was submitted following the Council's failure to give notice of its decision on the application within the prescribed period. The Council has provided a statement of case which indicates that had the application been determined, the proposed advertisement would have been refused on amenity grounds, for the putative reason set out in the introduction section of its statement of case.
3. The Council has not raised any concerns in respect of public safety and based on the evidence before me, I concur.
4. The Council has drawn my attention to the policies of the Development Plan and Design Guides that it considers to be relevant to the appeal, and I have taken them into account as a material consideration. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) indicates that the control of advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.
5. A revised plan was submitted with the appeal that shows a reduction in the size of the proposed hand painted mural. The Council has had the opportunity to

comment through the appeal process, and I do not consider that it, or any other party, would be prejudiced by my acceptance of such a plan. I have therefore determined the appeal based on the revised plan.

Main Issue

6. The main issue is the effect of the proposed advertisement on amenity, including whether it would preserve the character or appearance of the St Luke's Conservation Area.

Reasons

7. The appeal property is a three-storey building with a mansard roof extension, at the end of a terrace. It is in the St Luke's Conservation Area (CA). Consequently, I am required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
8. According to the St Luke's Conservation Area Design Guidelines (CADG), February 2004, the CA is an important surviving part of historic Finsbury. It is characterised by a wide range of commercial uses. In respect of this appeal, its significance is derived from the historic value of Old Street as an ancient thoroughfare. The appeal property forms part of a terrace which the CADG identifies as contributing positively to the character and appearance of the CA.
9. Old Street is a busy and vibrant commercial area containing a variety of buildings and signage. Whilst much of that signage is at fascia level, I observed at my visit that the streetscape also included signs in other forms, including projecting signs at first floor level and double-sided digital signs within the pavement. In addition, I noted that hand painted lettering, associated with The Salvation Army, is displayed on the upper section of the gable wall of a six-storey building on Old Street.
10. The proposed advertisement would measure 3.3 metres wide and 4.2 metres high on the side elevation of the appeal property, which fronts onto Domingo Street. It would occupy approximately 25% of the gable wall, at second and third floor level of the building. At the proposed reduced scale, it would be positioned some distance from the side facing windows and would be set in from the front wall of the building and below the eaves by a small distance.
11. The proposed advertisement would not obscure any detailing on the building on which it would be displayed. Taking such a factor into consideration, I find that the proposed advertisement would not appear as an unduly dominant addition to the appeal building. For the same reason, it would not diminish the positive contribution it makes to the CA.
12. Given the scale of the surrounding buildings, the proposed advertisement would only be visible in short to medium distance views when travelling along Old Street from the Goswell Road junction. It would also be visible in short distance views along Domingo Street. Although the details of the proposed advertisement have not been provided, and would be occasionally changed, I am satisfied that it would provide visual interest to what is a relatively large expanse of unrelieved painted brickwork, and would, thereby, contribute to the vibrancy, and reflect the commercial character, of the area. In such a predominantly commercial urban

setting, the proposed advertisement would not appear as a discordant addition to the street scene and would not lead to a proliferation of advertisements that would create unacceptable visual clutter.

13. Accordingly, I find that the proposed advertisement would not harm amenity and would preserve the character and appearance of the St Luke's Conservation Area.
14. Although not decisive, the scheme would accord with policies PLAN1, DH1, DH2 and DH6 of the Local Plan Strategic Management Policies, September 2023, which seek to ensure that advertisements make a positive contribution to local character and conserve and enhance the historic environment. It would also accord with the similar aims of the CADG, Islington Design Guide (January 2017) and the National Planning Policy Framework.

Other Matters

15. I have had regard to the other matters raised by an interested party, which included concerns regarding the obstruction of the pavement, noise and odour whilst the proposed advertisement is being hand painted. However, such impacts would be limited and for a short duration only and there is no compelling evidence before me to suggest that unacceptable harm to amenity or public safety would arise.
16. Concerns raised regarding excessive commercialisation, the proximity of a school, and previous unauthorised advertisements are not matters that are within my jurisdiction to comment upon.

Conditions

17. The five standard conditions as set out in the Regulations will apply. I have, for the avoidance of doubt, also imposed a condition confirming that consent has been given to display the advertisement detailed on the amended plan.

Conclusion

18. For the reasons given above the appeal should be allowed.

Elaine Moulton

INSPECTOR