
Appeal Decision

Site visit made on 10 April 2026

by **T C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20TH July 2026

Appeal Ref: APP/U5360/Z/25/3375079

Kebab Zero, 2 Kingsland Road, London, E2 8DA

- 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 Gyro Lab against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/1301.
 - The advertisement proposed is Installation of a timber-framed billboard advertisement and related timber truss support structure with integrated lighting.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The assessment of applications for advertisement consent is confined to the issues of amenity and public safety. In this instance the Council, in its decision notice, cites objections relating only to visual amenity, and I agree with the authority's approach.
3. Whilst the Council has drawn my attention to the policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies are not, by themselves, decisive.
4. Regulation 3(2) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
5. The appeal premises lie within the Kingsland Conservation Area.
6. When dealing with an appeal for an advertisement in a conservation area, the test from s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA) applies in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This statutory duty is relevant to advertisement appeals insofar as it relates to the consideration of amenity.
7. Accordingly, the conservation area location means that this designated heritage asset's special architectural or historic interest location, whose character and appearance deserve to be protected and enhanced, is a material consideration in the assessment of the appeal.

8. Although I note the proximity of St Leonard's Church, a Grade I listed building, when dealing with an appeal for an advertisement within the setting of a listed building the statutory duty from s66(1) of the LBCCA, requiring decision makers to have special regard to preserving the listed building's setting, does not apply. This is because the courts have held that in conservation area cases s72 applies to the exercise of functions under the various planning acts whereas s66(1) only applies to proposals for planning permission and/or listed building consent. Accordingly, reference in the Council's refusal reason to 'the setting of listed buildings' is not directly relevant here, but the Church's presence does, of course, contribute to KCA's character and appearance

Main Issue

9. The main issue in this case is the effect of the proposal on visual amenity, with particular regard to whether it would preserve or enhance the character or appearance of the conservation area in which it falls.

Reasons

10. No 2 Kingsland Road is a single-storey building located at the busy junction of Hackney Road, Old Street and Shoreditch High Street. Currently used as a hot food takeaway, the building is flat-roofed, behind which stands the flank wall of a four-storey building. From my site visit observations I noted that there is an eclectic mix of architectural styles of building in the surrounding area, many of which appear to date from the mid to late nineteenth century.
11. In its contextual setting the building and its limited height are something of an anomaly, and it would seem that the appellant is taking advantage of this with the proposal to erect a 3m high timber-framed billboard – but lifted some 0.3m from the top of the fascia sign - to facilitate an advertisement display. The display would wrap around the south and west facing elevations which front Kingsland Road and Hackney Road, respectively. This would necessitate the installation of a timber truss support structure.
12. A row of external lights would be positioned 0.41m above the billboard, meaning that the installation, in full, would be to a total height of 3.71m above the fascia sign which staddles both elevations.
13. The Council's appraisal document for KCA confirms that its character and appearance relates to a tight urban grain, with a range of uses and buildings of different styles, reflecting the historic development of the area.
14. The proposed substantially sized billboard will be externally illuminated by fourteen overhanging lights. Further, its location at this busy road junction means that its visual prominence and obtrusiveness will be exacerbated. The appellant mentions that it will hide graffiti on the flank wall of the tall adjacent building. However, the Council does hold remedial powers to secure the removal of graffiti and this remains a matter between the Council and the landowner(s). It is not, therefore, in itself, justification for the high level display.
15. I find that the proposal would be at odds with the historic character of the locality. Given this I am not satisfied that the intended display would have a neutral effect on the KCA and, therefore, neither its character nor its appearance would be preserved. Instead, I thereby find that the display would be harmful thereto.

16. In support of the appeal the appellant makes reference to examples of other large advertisements in the locality; notably no 333 Old Street. Indeed, this is an extremely large upper floor display, is within the Council's South Shoreditch Conservation Area, and has had a series of consents for such. However, I note from the history that advertisement consent was first granted on 2005, which pre-dates the first iteration of the National Planning Policy Framework in 2012, with its firm advice as to conserving the historic environment, thereby complementing the provisions of the LBCAA.
17. Also, proposals are determined with regard to the individual circumstances and the specific factors involved. There may be pointers, but each case is different and direct parallels are not easily drawn. As such, neither the display at no 333 Old Street nor other properties cited have affected my conclusions.
18. As far as such factors are material, the intended advertisement is, therefore, particularly contrary to the aims and requirements of policies LP3 and LP7 of the Hackney Local Plan, 2033.

Conclusion

19. For the reasons given above, I conclude that the proposal would fail to preserve or enhance the character or appearance of the KCA, and thus would be detrimental to the interests of visual amenity. I, therefore, dismiss the appeal.

T C King

INSPECTOR