Delegated report – Source of delegation NH232 (Neighbourhoods and Housing) for applications and decisions that are non-committee items

Address: 152-162 Mare Street London E8 3RD

Date of Visit: Reference No: 2019/0525

Case officer: Louise Smith Ward: Victoria Ward

Locally/ Listed Building: Close to 185-187 Mare Street (Locally Listed) Conservation Area: Mare Street

Consultation Check: Officer Initial Date

Yes LS 19/03/2018

Core Strategy Allocation: Areas exempt from Office – Residential, Arch Priority Area, City Fringe OAFP

Proposal: Installation of internally illuminated advertisement panel to northern facade fronting onto Weston Walk for a temporary period between 11/07/2019 and 11/07/2024.

Photos of Site & Surroundings:

Site Description: The application site is a three storey property that is located at the junction of Mare Street and Well Street. The site is in use for commercial purposes at ground floor level with residential accommodation on the upper floors. The application site is located within the Mare Street Conservation Area and is located within proximity to 185-187 and 189 Mare Street which are locally listed.
### Development Constraints

<table>
<thead>
<tr>
<th>North</th>
<th>East</th>
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<tbody>
<tr>
<td>Mixed Use</td>
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<tr>
<th>South</th>
<th>West</th>
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<tr>
<td>Mixed Use</td>
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### Relevant History:

#### Pre Application History
None

#### Planning History

Planning Reference: 2003/1416  
Description of Development: Erection of internally illuminated advertisement hoarding on side elevation at second floor level.  
Decision: Refuse  
Decision Date: 14/08/2003  
Determination Level: Delegated

*Reason for Refusal: The proposed internally illuminated advertisement hoarding by reason of its method of illumination would not preserve or enhance the character or appearance of the Mare Street Conservation Area contrary to the Hackney Adopted Unitary Development Plan strategic policies ST2, ST8, ST11 and planning policies EQ12, EQ33, EQ35 and EQ36.*

Planning Reference: 2018/1561  
Description of Development: Installation of a wall-mounted internally illuminated 48 sheet (3M x 6M) digital advertisement display.  
Decision: Refuse  
Decision Date: 02/07/2018  
Determination Level: Delegated

*Reason for Refusal: The proposed advertisement, by reason of its location, size, and method of illumination is considered harmful to the visual amenity of the area, fails to preserve or enhance the character and appearance of the Conservation Area and is harmful the setting or nearby locally listed buildings. As such, the proposal is contrary to policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan 2016, policies CS24 (Design) and CS25 (Historic Environment) of Hackney's Core Strategy 2010; and policies DM1 (High Quality Design), DM28 (Managing the Historic Environment) and DM29 (Advertisements) of Hackney's Development Management Local Plan.*

Planning Reference: 2018/3950  
Description of Development: Installation of non-illuminated advertisement shroud to scaffolding on the Well Street and Mare Street corner of the building for a temporary period between 07/01/2019 and 28/12/2019.  
Decision: Refuse  
Decision Date: 12/12/2018  
Determination Level: Delegated

*The proposed advertisement, by reason of its location, size, and method of illumination is considered harmful to the visual amenity of the area, and would fail to preserve or enhance*
the character and appearance of the Conservation Area. As such, the proposal is contrary to policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan 2016, policies CS24 (Design) and CS25 (Historic Environment) of Hackney’s Core Strategy 2010; and policies DM1 (High Quality Design), DM28 (Managing the Historic Environment) and DM29 (Advertisements) of Hackney’s Development Management Local Plan.

Appeal History

Appeal Reference: APP/U5360/H/03/1128149
Planning Reference: 2003/1416
Description of Development: Installation of a wall-mounted internally illuminated 48 sheet (3M x 6M) digital advertisement display.
Decision: Dismissed
Decision Date: 03/12/2003

Appeal Reference: APP/U5360/Z/19/3220568
Planning Reference: 2018/3950
Description of Development: Installation of non-illuminated advertisement shroud to scaffolding on the Well Street and Mare Street corner of the building for a temporary period between 07/01/2019 and 28/12/2019.
Decision: Pending
Decision Date:

Enforcement History

None

Neighbour Consultations/Responses:
Summary:
None required.

Consultations (Internal):

Traffic and Transportation: No response received at the time of writing. Objection. Officer Comment: This is further set out in the main body of this report.

Conservation, Urban Design and Sustainability: Objection. Officer Comment: This is further set out in the main body of this report.

Consultations (External):

Hackney Society: Objection to this application; The proposed internally illuminated sign does not improve or enhance the conservation area and is considered harmful to the visual amenity of the area. Officer Comment: This is further set out in the main body of this report.

Transport for London (Tfl): No response received at the time of writing. Officer Comment: This is further set out in the main body of this report.
### Policy:

| Development Plan | London Plan: | 7.4 – Local character  
| | | 7.6 – Architecture  
| | | 7.8 – Heritage Assets and Archaeology  
| Core Strategy: | CS24 – Design  
| | | CS25 – Historic Environment  
| Development Management Local Plan: | DM1 – High Quality Design  
| | | DM2 – Development and Amenity  
| | | DM28 – Managing the Historic Environment  
| | | DM29 – Advertisement  
| SPD/SPG: | NA  
| | | National Planning Policy Guidance  
| | | Town and Country Planning (Control of Advertisements) (England) Regulations 2007  

### Assessment and Reasons:

The proposal is replacement of the existing externally illuminated advertisement display (currently measuring 3.2m x 6.2m) with an internally illuminated LED advertisement which would measure 3.2m x 4.8m in size. The shroud would be erected for a temporary period between 11/07/2019 and 11/07/2024.

The proposal raises the following planning considerations:

#### Material Considerations

Local planning authorities must exercise their powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 in the interests of amenity and public safety taking into account the provisions of the development plan and any other relevant factors. DMLP policy DM29 stipulates that advertisements must be of the highest possible standard and contribute to a safe and attractive environment and should:

- Not cause a hazard to pedestrians;
- Not adversely affect the historic significance of buildings, and be sensitive to the character of an area through size and siting;
- Not contribute to unsightly proliferation of clutter of signage in the vicinity and detract from the amenity of the streetscene and;
- Not cause visual intrusion by virtue of light pollution into adjoining residential properties and avoid flashing internal or external illumination.

#### Amenity

The proposal is considered to be in a sensitive location in conservation terms. The site is
located in a position that affects the setting of the Mare Street Conservation Area, positioned in a prominent location close to the junction with Mare Street and Well Street. The Locally Listed 185-187 Mare Street is also located to the north west of the site on the opposite side of Mare Street.

Given this prominent location, the appearance, location and method of illumination of the proposed signage are considered inappropriate and would have a significant detrimental impact upon the character and appearance of the surrounding area.

Whilst it is accepted that the proposed signage would replace existing externally illuminated signage which has greater dimensions than that currently proposed, it is considered that the introduction of internal illumination and that the non-static nature of the LED advertisement would significantly increase the visual impact of the signage when compared to the existing situation.

Given the above, the proposal is considered inappropriate and would have a detrimental impact upon the character and appearance of the conservation area. Whilst the application site is within proximity of 185-187 Mare Street, which is locally listed, given that this property is located some distance from advertisement insert (approx. 35m) to the north west of the site, the impact on the setting of 185-187 Mare Street is considered acceptable.

It is also noted that the site to the immediate north of the application site (164-170 Mare Street London E8 3RD) has recently been the subject of a planning application (2018/2389), which received support for Officers recommendation that Planning Permission be approved subject to conditions and the completion of a S106 agreement at Planning Sub-Committee in February 2019. Whilst permission is yet to be granted nor work commenced on site, it is noted that the application site is a Site Allocation within the Local Plan (SALP) which seeks that any redevelopment of the site for mixed-use purposes. Given that it is likely that this site will come forward for future re-development, consideration needs to be given to any potential light pollution from the proposed LED advertisement towards nearby residential properties to the north of the site.

Whilst it is acknowledged that the existing advertisement is externally illuminated, it is considered that the proposed internal LED internal illumination is a significant intensification of the existing situation and would be excessively close to the proposed upper floor flank wall windows of 164-170 Mare Street. Although some light would likely enter the windows at night due to the busy nature of Mare Street, the proposed illumination would be so close as to cause disruption to the occupiers (under 10m away), and would exacerbate the oppressive nature of the proposal.

The proposal would therefore cause unacceptable harm to the living conditions of the future occupiers of 164-170 Mare Street, to the detriment of amenity. As such the proposal would be contrary to policy DM29 of the Hackney Development Management Local Plan 2015, which seeks to ensure advertisements do not cause visual intrusion by virtue of light pollution into adjoining residential properties.

On the basis of the above, the proposed signage is considered unacceptable and would have a harmful impact upon the character and appearance of the conservation area and the amenity of nearby occupiers due to excessive light pollution.

Transportation
The proposal is considered to be of a scale and located in a position that would not unacceptably impact upon highways visibility. Given the nature of the immediate context, the signage is considered unlikely to have an unacceptable impact upon highway safety.

Further to this, the positioning of the advertisement would not hinder any traffic signs or any security/surveillance devices.

**Conclusion**

The proposed signage is considered unacceptable in terms of design, visual amenity and residential amenity and as such is recommended for refusal.

**Recommendation:** Refuse

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<tr>
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<tr>
<td>Planning Officer</td>
<td>Louise Smith</td>
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<td>Team Leader</td>
<td>Graham Callam</td>
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