



Appeal Decision

Site visit made on 24 December 2019 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by Chris Hoults BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th February 2020

Appeal Ref: APP/E5900/Z/19/3238484

42 Adler Street, London, E1 1EE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Ashley Savage on behalf of Qbic Hotels Limited against the decision of the Council of London Borough of Tower Hamlets.
 - The application Ref PA/18/03055, dated 14 March 2018, was refused by notice dated 1 August 2019.
 - The development proposed is primary and secondary signage in connection with the existing hotel use.
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Decision

1. The appeal is allowed, and express consent is granted for the display of: (1) "Qbic" sign on brickwork above first floor windows; (2) rotating illuminated sign bearing "Qbic" logo adjacent to hotel entrance; and (3) illuminated menu board adjacent to hotel entrance. The consent is for 5 years from the date of this decision and is subject to the five standard conditions set out in the Regulations.
2. The appeal is dismissed in respect of painted brickwork to the elevation at ground floor level with projecting metal frame and lettering.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

4. The development has already been carried out. I deal with the appeal on that basis.
5. There is uncertainty as regards the various elements of the proposal. The detail of the signage on the application form is different from the elements listed in the Council's officer's report.
6. I take my cue from the application plans on my file. Drawing no. 0277-03-0510 Rev 04 shows the proposed Adler Street elevation with the following advertisements: (a) painted "Qbic" sign on brickwork above first floor windows; (b) painted brickwork to the Adler Street elevation at ground floor level with

projecting metal frame with lettering; (c) rotating illuminated sign bearing "Qbic" logo adjacent to hotel entrance; and (d) illuminated menu board adjacent to hotel entrance. Drawing no. 0277-03-12000 Rev 02 shows in detail the construction and mounting of the projecting metal frame which spells out the name "Motley". These details conform with what I saw on my visit with the exception of the Qbic logo at first floor level which takes the form of a metallic-type projecting sign rather than having been painted on to the brickwork. I therefore deal with the proposal as seen rather than as shown on the plans.

Main Issue

7. The Regulations seek to control advertisements in the interests of amenity and public safety. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons for the Recommendation

8. No. 42 is a five-storey office building that has been converted into a hotel. It is located on the corner of Adler Street and Mulberry Street, within the Whitechapel High Street Conservation Area ("the CA"). It is brick-built with horizontal banded fenestration and features long vertical windows on a narrow diagonal elevation facing the junction. The area is predominantly in commercial and retail land use and hosts some large office buildings. Whitechapel High Street and various side streets have active retail frontages characterised by a variety of forms of advertising, some of it quite colourful. The building is located along a side road with contrastingly few active frontages at ground floor level and its frontage to Adler Street is visible from a distance when looking across Altab Ali Park from White Church Lane and Whitechapel High Street. It is a plain building, described by the appellant as "drab", but it has coherence in terms of its detailing and proportions.
9. Of the four elements of the proposal, the rotating logo sign and menu board are small in size and their visual impact barely registers as part of the street scene. A menu board is to be expected outside a hotel entrance with a ground-floor bar and restaurant and the logo sign replicates similar signage in the doorway of the hotel entrance. Neither causes material harm to the street scene. The Qbic sign at first floor level is restrained in terms of its size relative to the building's scale, in spite of its red colouring. It mirrors a similar sign which has been placed at a high level on the diagonal elevation. I do not consider that it adds harmful visual clutter to the street scene in spite of its prominence and views that can be obtained of it from the park.
10. My concerns therefore relate to the painted brickwork and metal sign on the ground floor. The painted brickwork covers the whole of the ground floor elevation facing Adler Street and the lighting, polyester powder coated aluminium letters and framing form a prominent feature as viewed from Adler Street. The contrasting colour of the painted brickwork viewed in conjunction with the building as a whole can be seen from the park and, in longer-distance views, across the park from the high street. The illuminated frame and lettering will be visually prominent in the evening and at night. It obscures an appreciable proportion of the original brickwork at ground floor level.
11. I acknowledge that the appellant is seeking to bring a splash of colour to an otherwise unadorned building and that the effect is intended to visually disrupt in a quirky but nonetheless contemporary fashion, rather than blend in with the

building's somewhat dated detailing. However, the silver/grey and green colour scheme is jarring when viewed against a backdrop of the broadly terracotta colour of the brickwork and the sizeable white metal frame amounts to visual clutter set against that backdrop. As a collection of features, they integrate poorly with the building's appearance and detailing and ground-floor frontage treatments in the immediate vicinity. Accordingly, they detract from the street scene and cause harm to the visual amenity of the area.

12. The appellant draws my attention to examples of colourful advertising, not necessarily of the highest quality, on street frontages within the CA but these examples relate to traditional shop units, rather than a tall ex-office building in a locality in which little in the way of colourful signage is evident at street level. He also draws my attention to signage at Cityside House, consisting of a prominent totem sign. While it is undoubtedly on a far larger scale than in the case of the appeal proposal, the simple lettering on a backdrop of original brickwork, in a neutral colour, set on a building of considerable mass, has an uncluttered appearance which, despite its size, integrates reasonably well. Moreover, in contrast with the appeal proposal, this signage does not appear to include lighting and does not involve repainting of the brickwork.
13. Since the appeal site is within the CA, I am required to consider the effect of the advertisement taken as a whole on the significance of this designated heritage asset. I have taken into account the Council's CA Appraisal document. It advises that painted brickwork is uncharacteristic of the area and is detrimental to the overall cohesiveness of the streetscape. This statement is not elaborated upon by reference to examples of such treatments in the CA and the Council in its officer's report does not apply the guidance in this document when assessing the appeal proposal. The document does not give detailed guidance in respect of individual sub-areas in a locality with a very varied townscape nor in particular is there guidance relating to the treatment of large modern buildings with little historical interest.
14. I acknowledge the appellant's view that the building makes at best a neutral contribution to the significance of the CA and I consider that those elements to which I do not object, in introducing a degree of colour to an otherwise plain building, make a positive contribution in that respect. Colourful advertising is a feature of main shopping frontages in any event. I am nevertheless mindful of the general guidance about painted brickwork and I find that, on account of the harm to visual amenity, those elements to which I do object detract from the cohesiveness of the streetscape in the immediate vicinity of the building. Accordingly, they fail to preserve the character or appearance of the CA and to that extent give rise to harm.
15. That said, and in line with the guidance contained in paragraphs 193-195 of the Framework, I would regard the harm as less than substantial, which requires me to weigh it against the public benefits of the proposal. I acknowledge that there is some public benefit to be derived from adding a degree of colour and curiosity to the street scene and in drawing attention to a leisure/recreational facility (the bar and restaurant). However, that does not outweigh the wider-ranging harm to visual amenity.
16. I conclude, therefore, that, while the signage at first-floor level, the rotating logo sign and the menu board are not harmful to the visual amenity of the area, the painted brickwork and projecting metal sign does give rise to harm to

it and to that extent gives rise to harm to amenity. The Council has drawn my attention to policies and, while these have not been decisive, they can be material considerations. The harmful element of the proposal would not meet the objectives in relation to advertisements of Policy DM23 nor the more general requirements of policies DM24 and DM27 of Tower Hamlets' Local Plan, Managing Development Document Development Plan Document (2013) in relation to design considerations.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be partly allowed and partly dismissed, as set out in paragraph 1 above.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be partly allowed and partly dismissed.

C M Hoult

INSPECTOR