
Appeal Decision

Site visit made on 28 January 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2020

Appeal Ref: APP/E5900/Z/19/3239942

146 Brick Lane, London E1 6RU

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by URBN UK Ltd against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/19/01657, dated 30 July 2019, was refused by notice dated 24 September 2019.
 - The advertisement is totem signage installed on existing traffic bollard.
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Procedural Matter

1. I observed that the signage has been installed. I have therefore made my decision on this basis.
2. The description of development provided on the application form referred to "pole (or totem)". The installed sign is evidently a totem style design and not a pole. I have therefore described the signage as such. I have also removed the following sentences from the description, as they do not describe the sign: "The existing traffic bollard is not part of the current traffic infrastructure from Brick Lane. It is the remainder of a bollard from the old Truman Brewery we are proposing to reinstate and utilise as company headquarters signage."
3. I note that the appellant submitted revised plans during the application reducing the size of the signage. For the avoidance of doubt, I have made my decision, as the Council did, based on the revised plan A560 Rev A.
4. Since the planning application was determined the Council has adopted a new Local Plan (LP). The Council has confirmed which of the new policies are relevant to the appeal and provided details of these. The appellant was given the opportunity to comment on them. I have made my decision based on the most up-to-date LP policies.

Decision

5. The appeal is allowed, and express consent is granted for totem signage installed on existing traffic bollard, at 146 Brick Lane, London E1 6RU, in accordance with the terms of the application, Ref PA/19/01657, dated 30 July 2019. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.¹

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Main Issue

6. The main issue is whether the advertisement sign would preserve or enhance the character or appearance of the Brick Lane and Fournier Street Conservation Area, with particular regard to its siting, size, form and materials.

Character and appearance of the Conservation Area

7. The statutory duty in Section 72(1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA), which is therefore a matter of considerable importance and weight. In addition, paragraph 193 of the National Planning Policy Framework (the Framework) requires decision-makers to give great weight to the conservation of designated heritage assets.
8. The Brick Lane and Fournier Street CA contains some of the most architecturally and historically significant buildings in the Borough. The architectural and urban character varies considerably across the CA, having evolved over a long period of time. Many of the streets are characterised by well-maintained and/or repaired original properties.
9. Brick Lane is a long, gently winding street running in a north-south direction through the centre of the CA for nearly its entire length. The name Brick Lane is taken from brick manufacturing from clay pits in the area. The Lane is characterised by a general consistency of height and architecture along various sections. The central section of the Lane, around the area of the Trueman Brewery, which is where the appeal site is located, is characterised by buildings generally 3-4 storeys high. The buildings along the Lane are often arranged in individual terraces, constructed of bricks of various shades, with brick arches, lintels, windows and plasterwork. The Trueman Brewery site is one of the key landmarks on the Lane. Development of the Brewery began during the late 17th Century, with industrial development continuing at the site until the 1970s, before eventually closing in 1988.
10. Brick Lane is home to a diverse mix of fashion, art, entertainment, retail and start-up businesses. The brewery site itself is now being re-used, incorporating a diverse mix of uses typical of the Lane. The richness and complexity of the area is due to many factors, including the overlapping cultural legacy of successive groups of immigrants, each providing a unique contribution to the area. The features described above contribute significantly to the overall significance of the CA.
11. The appeal site is located adjacent to what was a vehicle entrance to the site of the Truman Brewery. Its buildings span across both sides of the Lane. They are architecturally functional and primarily constructed utilising concrete structural frames enclosed by buff brick walls. The concrete structures are visible from numerous public vantage points, including views from Brick Lane as one travels in a northerly direction towards the appeal site.
12. There are many advertisement signs attached to buildings along Brick Lane, of varying shapes, sizes and materials. Though the designs of most are typical of advertisement signage, there are exceptions. Notably, within around 20 m of the appeal sign is an upright, totem style sign, providing information regarding the Brick Lane Cultural Trail; it is around 1.6 m high x 0.6 m wide and

constructed from metal. Towards the southern end of the Lane is a very large steel, tubular shaped totem style structure erected on a large stone plinth, ie the Brick Lane Jamme Masjid. There is also a lot of street furniture along the Lane, including some concrete bollards.

13. The sign is essentially an oblong-shaped, grey concrete block, approximately 2.4 m high x 0.8 m wide x 0.5 m deep, installed upright over an existing bollard. I note that the bollard over which the sign is positioned is around 1.7 m high with a diameter of 0.3 m and mainly coloured light grey. The sign is located within the tapered tip of a section of dark grey cobbled pavement, sited close-up to the building's wall, next to the access into the site. It is set back from the Lane. The top of the sign is at a similar height to a concrete course set within the wall of the building.
14. When viewed from Brick Lane, the backdrop to the sign comprises a set of external steps with the appearance of grey concrete. Beyond the steps is a modern link structure between the buildings either side of the access road, the visible elevation of which consists primarily of steel roller shutter doors with a large advertisement sign above. The wall to the left of the access road has a handful of projecting hanging signs attached to it.
15. Within the context described above I consider the appeal sign is not prominently sited within the street scene, is not overly large and that its form and material are in keeping with the form and material of the structure of the main brewery buildings. Consequently, I conclude that the sign has a neutral effect on the significance of the CA. As such, it preserves the character and appearance of the CA.

Other Matters

Effect on the setting of Listed Buildings

16. Under s66(1) of The Planning (Listed Building and Conservation Areas) Act 1990 I have a duty to give considerable importance and weight to the desirability of preserving the setting of a Listed Building.
17. Some of the notable features of the Brewery site that remain are 2 Listed Buildings (LBs). The VAT House (Grade II), which is located on the corner of Brick Lane and the vehicle entrance into the brewery site, just north of the appeal sign; and the Director's House (Grade II*), which is located west of the sign on the opposite side of the Lane.
18. The settings of both LBs extend, to varying degrees, around and beyond each of their footprints. I consider the appeal sign to be sited within a section of the immediate settings of both LBs. However, given the siting, size, form and materials of the sign, which I have concluded has a neutral effect on the CA, combined with the range of other signage and street furniture in the area, I conclude that the signage would have a neutral effect on the settings of the LBs.

Conclusion

19. In accordance with the Advertisement Regulations, I have taken account of the provisions of the development plan, so far as they are material. The policies of relevance are S.DH1, S.DH3 and D.DH2 the Tower Hamlets Local Plan 2031: Managing Growth and Sharing Benefits. Collectively, and among other things,

these policies generally require works to be of high-quality design, respect its context, be of appropriate scale and height, positively contribute to the public realm and to preserve or, where appropriate, enhance heritage assets. I consider the sign accords with the development plan policies referred to.

20. The Council has expressed concern about the design and materials of the sign setting an unwanted precedent. However, any future applications for advertisements within the CA would have to be dealt with on their merits at such point in time. This decision is specific to the appeal signage and the specific context within which it is located.

21. Bearing all the above in mind, I conclude that the appeal is allowed.

J Williamson
INSPECTOR