

Appeal Decision

Site visit made on 20 August 2020

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2020

Appeal Ref: APP/E5900/Z/20/3246865

141A Roman Road, London E2 0QN

- 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 Clear Channel UK against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref 2019/3992, dated 20 September 2019, was refused by notice dated 14 February 2020.
 - The advertisement proposed is described as 'Upgrade of existing 48 sheet advert to support digital poster and a Clear Channel logo box'.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council have drawn my attention to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control 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.

Main issue

3. The main issue in the appeal is the effect of the proposed advertisement on the amenity of the area, with particular regard to illumination.

Reasons

Amenity

4. The appeal proposal seeks to replace an existing non-illuminated 48 sheet paper-based poster hoarding that is located on the gable wall of 141A Roman Road with an illuminated digital advertising hoarding as described above. The appeal site is located within the Globe Road Conservation Area (CA) that includes examples of special architectural and historically interesting architecture which date from the 19th century.
 5. I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
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6. The street scene on Roman Road is predominantly commercial in character, however, apart from the existing 48 sheet hoarding there is very little in the way of advertising on the upper floors of the predominantly three-storey buildings. The majority of advertisements on the road are shop front fascia advertisements that are displayed at street level. This ensures that the upper floors of the buildings on this key arterial route into the City generally retain their ordered and uncluttered character and appearance.
7. I have carefully considered all the points raised by the appellant, in particular the ability to control the adverts level of illumination, the existing background lighting levels (streetlights etc) and its siting in relation to the CA. However, even taking these matters into account the proposed digital advertising hoarding would by way of its illumination appear visually intrusive particularly in the hours of darkness when compared to the largely restrained and advert free upper floors of the buildings that contribute to the character and amenity of Roman Road and the CA. Furthermore, due to the introduction of illumination the advert would appear unduly dominant in the street scene, in particular when travelling along the B119 towards the City. As such, the proposed advertisement would be at odds with the prevailing character and appearance of the CA, therefore resulting in material harm to the amenity of the area.

Other considerations

8. I have considered both the National Planning Policy Framework (the Framework) and Planning Practice Guidance advice on advertisements and the factors embodied in these documents on matters such as economic and business encouragement, support for innovative design and advertisements potentially being more favoured in commercial areas. I accept that schemes such as this should not be taken to be automatically ruled out of CAs. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described.

Conclusion

9. For the above reasons and having regard to all other matters, I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR