
Appeal Decision

Site visit made on 22 September 2020 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/E5900/Z/20/3254211

London River Services Tower Pier, Tower Hill, London EC3N 4DT

- 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 Mr Valdi Mraz of Citycruises Ltd against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/00263, dated 5 February 2020, was refused by notice dated 20 April 2020.
 - The advertisement proposed is described as 'change from current poster signage to digital screen signage, to include x2 posters.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. 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

3. The description of development in the banner heading above is taken from the planning application form. However, a more precise description is that provided in the Council's decision notice as 'one illuminated fascia signage and two illuminated poster signage'. I have considered the appeal on this basis.
4. The Council has drawn my attention to a number of policies it considers to be relevant to this appeal and I have taken them into account where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance reiterates this approach. Therefore, the Council's policies have not, by themselves, been decisive.

Main Issue

5. The effect of the proposal on the visual amenity of the area, with particular regard to whether or not it would preserve or enhance the character or appearance of The Tower Conservation Area and the setting of The Tower of London World Heritage Site.

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

Reasons

6. This appeal concerns the Citycruises ticket office located at Tower Pier. Consent is sought for the replacement of the existing poster advertisements on the front elevation of the ticket office with 2 digital screen advertisements, one on either side of the window, and 5 above the window which would appear as one fascia advertisement.
7. The appeal site is located within the Tower Conservation Area (the CA) the significance of which is derived from its medieval historic interest and exceptional architecture, including the Tower of London which is a World Heritage Site (the WHS) and includes several listed buildings and features. The significance and outstanding universal value of the WHS lies with its international importance and historic and architectural qualities.
8. The proposed advertisements would be of a similar scale and positioning to the existing poster advertisements. However, the existing are modest features on the ticket office whereas the proposed would vary significantly as they would display internally illuminated, digital images. Whilst the images would be static, they would be significantly brighter and sharper images to those currently displayed thus causing them to be more prominent and overly dominant additions to the locality.
9. The ticket office occupies a prominent river side location within very close proximity to the WHS and adjacent to a large public space within the CA which is of high-quality landscaping and public realm. There is a distinct lack of illuminated advertisements in this locality, thus creating an uncluttered character which contributes positively to the significance of the designated heritage assets. Whilst the site may be located away from the main thoroughfare, it is nevertheless highly visible from public vantage beyond the entrance to the pier. The siting and design of the proposed advertisements would detract from and erode the established and sensitive character of the locality.
10. Whilst there are examples of digital advertisements at the Tower of London ticket offices and at the adjoining ticket office, they display significantly limited information in the form of scrolling lettering in a single colour, whereas this proposal would be capable of displaying vivid images with substantial amounts of information. As such, the examples are not directly comparable and do not therefore justify this proposal.
11. It has been suggested that the hours of use and levels of illumination of the advertisements could be controlled through condition. However, this would not negate the harm I have identified. I also acknowledge that the appellant is willing to remove the 5 advertisements above the window. In the interests of fairness to all parties, I can only consider the proposal on the basis of what was before the Council when they made their decision. However, even if the fascia advertisements were removed from the proposal, the remaining 2 advertisements would still be intrusive additions in the wider area.
12. Taking all the above into consideration, this proposal would fail to preserve the character and appearance of the CA and the setting of the WHS. Given the harm relates to only part of the CA and setting of the WHS, the harm to their significance would be less than substantial. In these circumstances paragraph 196 of the Framework states that the harm should be weighed against the

public benefits of the proposal. Whilst the display of up-to-date information may be of some benefit to users of the Citycruises services, it is not considered that these matters represent demonstrable public benefits that would outweigh the identified harm to the CA and setting of the WHS; harm which carries great weight.

13. Accordingly, I find that the proposal would result in unacceptable harm to the visual amenity of the area and would neither preserve or enhance the character or appearance of the CA or preserve the setting of the WHS. As such, it would conflict with guidance in the Framework and Policies S.DH3, S.DH5 D.DH2 and D.DH10 of the Tower Hamlets Local Plan 2031 (January 2020) which, although not decisive, collectively seek to ensure proposals preserve or enhance designated heritage assets including their setting and positively contribute to the public realm and visual amenity of the area.

Conclusion and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR