
Appeal Decision

Site visit made on 7 April 2021

by O S Woodward BA(Hons.) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2021

Appeal Ref: APP/E5900/H/20/3255606

45 Black Lion House, Whitechapel Road, London E1 1DU

- 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 Resolution Property against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/00599, dated 10 March 2020, was refused by notice dated 15 May 2020.
 - The advertisement proposed is the display of 1 no. halo-illuminated fascia sign.
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Decision

1. The appeal is allowed, and advertisement consent is granted for the display of 1 no. halo-illuminated fascia sign at 45 Black Lion House, Whitechapel Road, London E1 1DU in accordance with the terms of the application Ref PA/20/00599, dated 10 March 2020. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the following additional condition: "The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 300 candela per square metre. No intermittent or flashing lighting shall be used. No moving features, animations or exposed cold cathode tubing shall be displayed."

Preliminary Matter

2. Planning permission Ref PA/20/00701/NC was granted on 21 May 2020. This is for a similar advertisement to the appeal proposal but located on the opposite flank wall of the building, facing westwards.

Main Issue

3. The main issue is whether or not the proposed advertisement is reasonable and necessary in the interests of visual amenity, particularly whether or not it would preserve or enhance the setting of the Whitechapel High Street Conservation Area and the setting of the Bell Foundry grade II* listed building.

Reasons

4. The appeal site is one of the flank walls of an 11-storey building under construction, to be used as a hotel. It lies on Whitechapel High Street, a vibrant, commercial road with a mixture of uses and building styles. There are several advertisements of different styles and types in the area, mostly at ground and 1st floor level, although there are some examples at higher levels

such as on the student accommodation building on the corner of Plumbers Row and Fieldgate Street. Just to the east is fairly extensive signage on the East London Works building, albeit located at 1st floor level.

5. The proposed advertisement would be at 7th/8th storey level. It would be well integrated into the building, purposefully located in-between windows and centred on the elevation. It would not dominate or present visual clutter on this wall, due to its careful siting, that it would be a logo not a banner or hoarding, and that it would be relatively small scale in the context of the flank wall. It would be illuminated and it would be necessary to restrict the illuminance to ensure it would not visually dominate its host building or its wider setting, which can be achieved by condition. Subject to this condition, the high-level signage would be visually proportionate to the elevation and would integrate well with the architectural character of the host building.
6. The proposed advertisement would be fairly prominent as it would sit above the adjacent 4-storey buildings and it would be visible both from nearby to the site and from mid- and long-range views, including from and in the context of the conservation area and listed building. However, both the listed building and the conservation area lie to the south west of the appeal site on the opposite side of the busy road which creates a visual disconnect from these areas, minimising the effect of the proposal on their settings. In addition, the proposed advertisement, though its well-integrated design and appropriate scale, would be in-keeping with the character and appearance of the host building and the varied architecture and existing advertisements in its wider setting.
7. There is a similar advertisement on the opposite flank wall of the appeal building. The appellant has submitted a draft Unilateral Undertaking offering to relinquish this existing signage if the appeal advertisement is consented and erected. However, this is not necessary. The two advertisements would be on opposite sides of the building and would not be appreciated at the same time. The proposed appeal advertisement would not therefore result in unacceptable visual clutter and would remain of acceptable appearance and effect on the setting of the nearby heritage assets, even considered in conjunction with this existing signage.
8. The proposal would therefore be of acceptable visual amenity and would preserve the setting of the Whitechapel High Street Conservation Area and the Bell Foundry listed building. The proposal consequently complies with Policies D.DH2, D.DH10, S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031, January 2020 (the LP) which, amongst other criteria, seek to reduce visual clutter in the public realm, that advertisements be well integrated with host buildings, be of high quality design, and that the setting of heritage assets be preserved.

Conclusion

9. For the reasons above, I conclude that the appeal be allowed.

O S Woodward

INSPECTOR