



Appeal Decision

Site visit made on 21 July 2021

by G D Jones BSc(Hons) DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 September 2021

Appeal Ref: APP/E5900/W/21/3267591
85-87 New Road, London E1 1HH

- 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 Naveed Khan of Needoo LTD against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/20/01851, dated 25 September 2020, was refused by notice dated 2 December 2020.
 - The advertisement proposed is described as *2 projecting signs fixed to the wall*.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. When I visited the site, I observed that the appeal signs are in place. Indeed, the evidence indicates that they have been for some time, including when the application was determined.

Main Issue

3. The main issue is the appeal advertisements' effect on visual amenity having particular regard to the character and appearance of the area, including in respect to Myrdle Street Conservation Area.

Reasons

4. The appeal property is a restaurant located within Myrdle Street Conservation Area (the Conservation Area). The associated Conservation Area appraisal states that it is *characterized by high density development and a variety of types and sizes of property ranging from terraced houses to mansion blocks*. It adds that *despite the variety of building types and ages, the area retains some degree of homogeneity as a result of the terraced form and the hard urban landscape*, and goes on to say that *the buildings are either set hard on the back edge of the pavement or behind small front areas and railings, creating a street scene of sheer vertical edges*. Long views run along major street axis, including New Road, which feature reasonably uniform streetscapes of terraces with broadly common scale and pattern of fenestration.
5. These features and characteristics contribute significantly to the character and appearance of the Conservation Area, and it is principally from them that its significance derives.

6. The appeal property forms part of a terrace of other buildings that line this side of New Road. While the buildings are varied, the overall impression is that of 'homogeneity' stemming primarily from the terraced form and associated 'sheer vertical edges', as well as from the broadly consistent scale of the buildings and pattern of fenestration above ground floor level.
7. The appeal signs are located at second floor level, positioned centrally between pairs of windows. This arrangement helps maintain a degree of balance on what is a well-proportioned attractive front elevation above ground floor level. However, due to their height and vertical positioning, they sit awkwardly amongst the well-ordered fenestration at first and second floor. Moreover, although the elevation is set back a little from the street, as they project prominently, perpendicular to the terrace, even when they are not illuminated the signs appear starkly at odds with the prevailing linear form and sheer vertical edge that contribute importantly to the Conservation Area's significance.
8. For these reasons, therefore, the appeal advertisements detrimentally effect the character and appearance of the area, including in respect to Myrdle Street Conservation Area. As a consequence, they harm visual amenity.
9. In this regard, they also conflict with Policies S.DH1 (Delivering high quality design), D.DH2 (Attractive streets, spaces and public realm), S.DH3 (Heritage and the historic environment) and D.DH10 (Advertisements, hoardings and signage) of the Tower Hamlets Local Plan 2031, January 2020.

Other Matters

10. In making my assessment above I have taken into account the other existing signage cited in the evidence. However, as they do not exercise a significant influence on the character and appearance of the area, the presence of those other advertisements does not alter the outcome of the appeal. Furthermore, all appeals must be determined on their individual merits and I am not familiar with all of the circumstances of those other cases.
11. I also note the submissions regarding the effect that removal of the appeal signs might have on the restaurant business. Nonetheless, there is no substantiated evidence to support these concerns. Consequently, and bearing in mind the prominent signage at fascia level that would remain, this matter attracts very little weight. Furthermore, while no complaints may have been received against the advertisements, this does not alter the assessment of their effect on the character and appearance of the area as outlined above.

Conclusion

12. For all of the reasons given above, I conclude that the appeal should be dismissed.

G D Jones

INSPECTOR