



Appeal Decision

Site Visit made on 22 September 2021 by G Sibley MPLAN MRTPI

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2021

Appeal Ref: APP/E5900/Z/21/3277736

469 Hackney Road, Hackney, London E2 9ED

- 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 Build Hollywood Ltd against the decision of London Borough of Tower Hamlets.
 - The application Ref PA/21/00326, dated 11 February 2021, was refused by notice dated 24 May 2021.
 - The advertisement proposed is 3 No. wall-mounted 4-sheet poster advertising boards (non-illuminated).
-

Decision

1. The appeal is allowed, and express consent is granted for the display of 3 No. wall-mounted 4-sheet poster advertising boards (non-illuminated) as applied for. 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.

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 advertisements have already been erected and the application and appeal have been made retrospectively. I have assessed the appeal on that basis and removed the term 'retention of' from the description in the banner heading and in the formal decision above.
4. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have been provided with a further opportunity to make submissions in respect of the publication. Any comments received have been addressed in this decision.

Background and Main Issue

5. The advertisements have been built on a wall and because of this they do not hinder pedestrian movements within the area and do not block or hinder views of traffic signals or street signage. Additionally, they do not produce any noise and as a result I concur with the Council's conclusion that the advertisements do not harm public safety or aural amenity.
6. Therefore, the main issue in this case is the effect of the advertisements on the visual amenity of the area, having particular regard to whether the character or

appearance of the Hackney Road Conservation Area (CA) is preserved or enhanced and the effect on the setting of No 456 Hackney Road (No 456) which is a Grade II listed building.

Reasons for the Recommendation

7. The non-illuminated advertisements have been installed at ground level and are split into three separate boards. Each of them is relatively short, but as a group they extend across a large section of the flank wall of a commercial premises which is located on a junction between Hackney Road and The Oval. The area around the site is a commercial shopping district where advertisements above shopfronts are common and there are larger standalone advertisement hoardings located along Hackney Road at ground level. The commercial buildings are typically three or four storey buildings constructed from brick, but the colour and type of brick varies. The upper floors of the buildings are characterised by detailed fenestration whereas the ground floors are a mixture of traditional shop fronts, with pilasters and stallrisers, as well as modern shop fronts that are mostly glazed.
8. When approaching the appeal site from the west, there are advertisements located across the ground floor of a supermarket which occupies the corner of a road junction and the adverts wrap around the side of the building. This is common in the area, where advertisements are located at ground floor level, typically associated with the commercial uses. Consequently, the appeal advertisements do not appear incongruous or out of place when viewed within this commercial context. Additionally, there are larger lower-level advertisements located under the rail bridge crossing to the east of the site which further emphasises the common use of lower-level advertisements in the CA.
9. The siting of advertisements on the ground floor of the buildings ensures that the architectural detailing above the ground floor within the CA has been preserved. The appeal advertisements are in good condition and the use of timber for the frames is an appropriate material given its use within the traditional shop fronts across the CA.
10. The supermarket on the opposite side of Hackney Road has apartments above and is considerably larger in scale than the surrounding development. Next to this building is No 456 which is an early C19 property built from Stock Brick and is a two-storey Grade II listed building. This building is set back from the roadside behind a railed wall and gate which are also Grade II listed. The supermarket has been built forward of the main elevation of the listed building. When approaching along Hackney Road from the east, the advertisements are not visible from the listed building as they are located on the side elevation of No 469. Given the position of the listed building well set back from the supermarket block and the limited height of the advertisements, they do not encroach into or impinge on the setting of the listed building.
11. I conclude that the advertisements preserve the character and appearance of the CA and the setting of No 456 and do not harm the visual amenity of the area. I have taken into consideration the following policies insofar as they are relevant. The advertisement complies with Policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031 (adopted 2020) (LP) and Policies HC1 and D3 of The London Plan (adopted 2021) which taken together expect development to be of high quality design and to preserve the significance of heritage assets.

LP Policies D.DH2 and D.DH10 expect advertisements to be well designed and well-integrated into the public realm which is relevant in this case and the advertisements comply with this, in this instance.

Conditions

12. No other conditions are required other than the five standard conditions set out in the Regulations.

Conclusion and Recommendation

13. The advertisements preserve the character and appearance of the CA as well as preserve the setting of the listed building and do not harm the visual amenity of the area. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal.

Sarah Housden

INSPECTOR