

Appeal Decision

Site visit made on 13 September 2016

by P Eggleton Bsc(Hons) MRTPI

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

Decision date: 19 September 2016

Appeal Ref: APP/L5810/Z/16/3152425

44 Sheen Lane, London SW14 8LP

- 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 C Rezaei Nikjeh against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 16/0674/ADV was refused by notice dated 18 April 2016.
 - The advertisement proposed is a change of name to the fascia and a new projecting sign.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on amenity.

Reasons

1. The application form describes the details of the new signage as a change of name on the fascia and a new projecting sign. It refers to the plans with regard to lighting. The plans show a boxed projection sign with internal lighting and a fascia with lighting inside the letters and within the fascia box.
 2. The Regulations, the *National Planning Policy Framework* and the *Planning Practice Guidance* require that decisions are made only in the interests of amenity and public safety. I am satisfied that in this instance the concerns relate only to amenity.
 3. The new signage is already in place. It differs slightly from the plans as although the fascia includes the main central text it also includes an additional motif to its left which is separately illuminated and additional text to the right which is illuminated by the lighting from within the fascia box. Despite these minor discrepancies, I have treated the proposal as being retrospective and assessed the signage as installed. I am satisfied that no party would be prejudiced by this approach as comments have been received based on the signage in situ.
 4. The property lies within a parade of commercial properties within the Sheen Lane (Mortlake) Conservation Area. The ground floor units extend forward of the flats above. This terrace is of more recent origin than the neighbouring corner building, nearby shops and the terraced cottages opposite. The previous fascia included raised lettering on the painted parapet, similar to the neighbouring unit. Although not entirely clear, it appears from the photographs
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- that the fascia was illuminated by small external lights. A smaller projecting sign was also present. The neighbouring fascia does not appear to be illuminated but it has large external lights trained on the shop windows below.
5. The front forecourt is partially enclosed and has an extending canopy roof. This has been re-furbished and the property re-painted. The fascia box sits within the parapet area above the canopy. Box style fascia adverts are not common in the vicinity, although for the most part, the local shops are within older buildings that retain some of the historic detailing of the original shop fronts. Illuminated lettering is also uncommon. Such features are more common in Upper Richmond Road, although that shopping area has a different character and lies outside the conservation area.
 6. Although this building has a modern appearance, it is situated in an area which has retained, to a large extent, the character of the older shops and their signage. It is opposite a terrace of older cottages that have simple designs but they too have retained their historic detailing. I agree with the Council that the box style fascia and projecting sign and the illuminated separate lettering, are at odds with the character of this area. As the building is relatively modern, it could accommodate more contemporary detailing without detracting from or competing with the historic interest of the wider area. However, I find the approach adopted to be harmful to the character and appearance of the street scene and the conservation area.
 7. I am not satisfied that the lighting would harm the amenity of neighbouring residents as many of the properties in the area include externally illuminated signage and other light sources are prevalent. Furthermore, the use of the lighting could be restricted to the opening times of the premises.
 8. As decisions can be made only in the interests of amenity and public safety, the Council's policies cannot be decisive. However, I have taken them into account as material considerations. As the advertisements are not suited to this area and they detract from its character and appearance, they conflict with the conservation area requirements of Policy DM HD1 of the Development Management Plan 2011. Policies DM DC7 and DM DC8 require high quality design which complements the surrounding street scene. Policy CP7 of the Core Strategy 2009 similarly requires high architectural and urban design quality in all new development. The *Framework* is also clear that permission should be refused for development of poor design.
 9. I appreciate the appellant's desire to advertise the business and I acknowledge that it is screened to some extent in views from the north. I am also mindful that the *Framework* offers support for commercial activities and investment. I am not satisfied that these benefits could not be achieved with a more sympathetic approach. In any event however, the matters in favour of the advertisements are not sufficient to outweigh my concerns. I therefore conclude that the appeal must be dismissed in the interests of amenity.

Peter Eggleton

INSPECTOR