
Appeal Decision

Site visit made on 31 January 2017

by Beverley Doward BSc BTP MRTPI

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

Decision date: 9 February 2017

Appeal Ref: APP/L5810/Z/16/3159268

57 Crown Road, Twickenham, Middlesex, TW1 3EJ

- 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 Claremont Dental Practice against the decision of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/2863/ADV, dated 11 July 2016, was refused by notice dated 14 September 2016.
 - The advertisement proposed is an aluminium sign to advertise dental practice.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the aluminium sign 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.

Main issues

2. The main issues in this appeal are the effect of the proposed advertisement on the character and appearance of the area and on public safety, particularly pedestrian and highway safety.

Reasons

Character and appearance

3. The appeal site is located on the corner of Crown Road and Claremont Road. It is occupied by a large two/three storey semi-detached property which is used as a dental practice on the ground floor and at the rear of the first floor.
 4. The proposed aluminium sign to advertise the dental practice would be sited towards the front of the corner plot behind the existing hedge on the frontage facing towards Napoleon Road. It would be mounted on two poles so as to be visible above the existing hedge. However, it would be non-illuminated and would not be overly large or bulky measuring about 1400mm wide, 500mm high and 3mm deep. The sign would be of a relatively simple form and would not appear out of scale with the large host building or obscure the frontage of the building. Accordingly, it would not appear visually intrusive or unduly dominant within the street scene.
 5. Whilst I appreciate that the immediate vicinity of the appeal site is predominantly residential in character I am satisfied that the proposed sign
-

combines commercial necessity with an appropriate approach to advertising such that it would not harm the character and appearance of the area.

Public safety

6. The proposed sign would be positioned towards the front of the appeal site facing towards Napoleon Road. It would be visible to drivers approaching along Crown Road from the north as well as those emerging onto Crown Road from Claremont Road and Napoleon Road. However, all advertisements are intended to attract attention. There is no substantive evidence before me to indicate that either Crown Road or the Crown Road/Claremont Road and Crown Road/Napoleon Road junctions are heavily trafficked or hazardous. At the time of my site visit which took place in the early afternoon on a week day the roads and junctions in the vicinity of the appeal site were all relatively quiet. The sign would not be overly large and would not be illuminated. Accordingly, I consider that notwithstanding its siting on a corner site the sign would be unlikely to distract the attention of road users so as to be hazardous to either pedestrian or highway safety.

Other matters

7. The appellant refers to other advertisements in the vicinity of the appeal site. However, I am not aware of the planning history of these. In any event, I have considered the advertisement subject to this appeal on its own merits taking into account the specific context of the site and its surroundings. This matter therefore has not been determinative in my consideration of this appeal.

Conclusions and conditions

8. To conclude therefore, the proposed sign would not cause harm to the character and appearance of the area or to public safety, particularly pedestrian and highway safety.
9. The Council refers to policies of the London Borough of Richmond upon Thames Core Strategy 2009 (CS) and the London Borough of Richmond upon Thames Development Management Plan 2011 (DMP) which it considers to be relevant to this appeal. Powers under Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore been decisive, but are a material consideration. Given my conclusions above the proposed sign would not conflict with policy CP7 of the CS or policies DM DC 1, DM DC 7 and DM DC 8 of the DMP which together, amongst other things, seek to protect local character and create safe places. Similarly, it would not undermine the aims and objectives of the Council's Supplementary Planning Document: Shopfronts.
10. Under Regulation 14(a) all advertisements which are granted express consent are subject to the five standard conditions set out in Schedule 2 of the Regulations. All consents are given for a standard period of 5 years unless specifically stated. The application form indicates that the appellant seeks permanent consent for the advertisement. However, after 5 years the advertisement could continue to be lawfully displayed as it would have the benefit of deemed consent under Class 14 of Schedule 3 of the Regulations. Accordingly, for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be allowed and express

consent be granted for a period of five years and subject to the five standard conditions set out in the Regulations.

Beverley Doward

INSPECTOR