

# Appeal Decision

Site visit made on 24 April 2017

**by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI**

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

**Decision date: 3<sup>rd</sup> May 2017**

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**Appeal Ref: APP/G5750/Z/17/3168790**

**829 Romford Road, Manor Park, London E12 6EA**

- 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 Muhammad Qadir of ASM Healthcare Limited against the decision of the Council of the London Borough of Newham.
  - The application Ref 16/03455/ADV, dated 2 November 2016, was refused by notice dated 14 December 2016.
  - The advertisement proposed is 1 x illuminated led light box sign positioned within the fascia area underneath the existing "Muhammad's Pharmacy".
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## Decision

1. The appeal is allowed and express consent is granted for the display of 1 x illuminated LED light box sign positioned within the fascia area underneath the existing "Muhammad's Pharmacy". 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 and the following additional conditions:
  - 1) The sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates;
  - 2) The intensity of the illumination of the sign permitted by this consent shall be no greater than 155 cd/m.

## Costs

2. An application for costs was made by Mr Muhammad Qadir against the Council of the London Borough of Newham. This application is the subject of a separate decision.

## Main Issue

3. The main issue is the effect of the proposed illuminated sign on the character and appearance of the area.

## Reasons

4. Paragraph 67 of the National Planning Policy Framework (the Framework) confirms that the issues of amenity and, where applicable, public safety, are the determining factors in advertisement appeals. The Regulations state that development plan policies alone cannot be decisive when determining cases such as this one. Nevertheless, the Planning Practice Guidance (PPG)<sup>1</sup> advises that factors such as historic, architectural or cultural features in the neighbourhood can be taken into consideration in assessing the effect on amenity. In reaching my

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<sup>1</sup> Paragraph 079 Reference ID: 18b-79-20140306

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decision I have therefore had regard to the Council's policies alongside the advice and guidance of the Framework and the PPG.

5. Romford Road is a key strategic route linking Ilford with Stratford. The appeal property is in the section to the west of the North Circular Road where the road has a straight alignment and carries large volumes of traffic. There are wide pavements on both sides of the street which is flanked by two and three storey buildings. The primary activities at street level are commercial and comprise a wide variety of shops, restaurants and other business premises, all of which contribute to the vibrancy of this diverse part of London.
6. No 829 is part of an extended parade of shops which run continuously along both sides of Romford Road. It already has a large illuminated fascia sign and an illuminated projecting sign. The surrounding buildings include fascia signs of all kinds to draw attention to the variety of goods and services on offer in the locality. These are often combined with smaller projecting signs, some of which appear to be illuminated.
7. The proposal would provide an additional illuminated LED box which would occupy a significant width of the shop front and provide a sequence of illuminated messages at 30 second intervals. The LED box would be beneath the existing sign and would be 256mm high. It would project 160mm from the front elevation and in this respect would differ from the many others signs within this particular parade of shops. However, the projection would be of modest proportions and the sign would be seen in the context of the surrounding busy street scene.
8. I appreciate that the Council wants to prevent a proliferation of clutter along Romford Road and has sought to remove a series of unauthorised signs as part of its objective to improve the quality of the public realm. However, the shop front at No 829 is a simple design predominantly comprised of glass. The frontage therefore has a smart and uncluttered appearance which provides views into the store. Although the messages to be displayed would change, they would not scroll or flash. Consequently, I am not persuaded that the sign as a whole, or its messages, would add significantly to the clutter in the vicinity or result in a piecemeal degradation of the street scene.
9. I therefore conclude that the advertisement would not give rise to material harm to the character and appearance of the area. In reaching my conclusion I have had regard to Policies S1, S6, SP1, SP3 and SP7 of the Newham Core Strategy and Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan, all of which seek to improve the quality of the public realm in order to promote secure, inclusive and accessible environments for the borough's residents and visitors.

### **Conditions and Conclusion**

10. In order to protect the living conditions of residents in the vicinity of the sign, it is necessary to restrict the intensity of the illumination and the hours during which the sign can be illuminated. I have imposed conditions to this effect.
11. For the reasons given, I conclude that the appeal should be allowed, subject to the five standard conditions set down in the Regulations and the additional conditions referred to above.

*Sheila Holden*

INSPECTOR