

Appeal Decision

Site visit made on 24 July 2017

by Ann Skippers BSc (Hons) MRTPI

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

Decision date: 31 July 2017

Appeal Ref: APP/G2245/Z/16/3165712

1 Farnaby Drive, Sevenoaks TN13 2LQ

- 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. Adam Sussmes against the decision of Sevenoaks District Council.
 - The application Ref SE/16/02798/ADV, dated 9 September 2016, was refused by notice dated 19 December 2016.
 - The advertisement proposed is "2.no No parking signs".
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Decision

1. The appeal is allowed and express consent is granted for the display of 2.no No parking signs 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.

Preliminary Matters and Main Issues

2. There is a query over whether express consent is required, but as the appeal follows an application for express consent, I am determining the appeal on that basis.
 3. The Council granted consent for one advertisement located to the south of Farnaby Drive, but refused consent for the proposed sign to the north of Farnaby Drive. I shall therefore focus on the sign refused consent in my decision.
 4. Both signs have been erected.
 5. There is some dispute between the parties as to whether the site falls within the Kippington and Oakhill Road Conservation Area (CA). I asked for clarification of this matter and the Council has confirmed the site does fall within the CA and has determined the application on this basis. From the information before me, I consider that this to be the case and have determined the appeal on this basis.
 6. Regulations require that decisions be made only in the interests of amenity and public safety.
 7. Whilst the Council refers to two policies these alone cannot be decisive, but I have taken them into account as material considerations. I have also taken account of the general thrust of, and the advice in, the National Planning Policy Framework and in particular paragraph 67.
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8. Accordingly, the main issue is the effect of the proposal on the visual amenity of the area.

Reasons

9. The site falls within the Kippington and Oakhill Road CA although it is only the part of the road close to the junction with Kippington Road that falls within it and No 1 Farnaby Drive and No 110a Kippington Road lie just outside the CA.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area.
11. The character of the area is generally derived from large, detached dwellings on spacious plots in an Arcadian setting. Roads are generally quite narrow with grass verges to either side. With few features in the generally open streetscape, ornate lamp standards are noticeable features in the area together with the many trees and hedges that make a major contribution to character and appearance. Farnaby Drive has a more varied character.
12. Two signs have been erected on either side of Farnaby Drive close to its junction with Kippington Road. The signs are well designed, with appropriate colouring and lettering, a view shared by the Council. The sign which has been refused consent to the north, is sited on a grass verge and is seen against the backdrop of a hedge and No 110a Kippington Road beyond. It is sited discreetly, but effectively.
13. At the entrance to Farnaby Drive and other roads in the area, stone blocks to either side of the road with the road name on them are common. The two signs on either side of the street therefore reflect this symmetry.
14. There are other signs of a similar ilk in the area along other roads; I have not been informed whether all of these are authorised. However, it would appear from the information I have that a third sign set back on a grassed area along Farnaby Drive identical to those subject of this appeal is not authorised. Whatever the situation, the design and size of the sign is not at odds with others it would be seen alongside in the locality.
15. The Council is rightly concerned about the proliferation of signage. This stance is reinforced by the Kippington Conservation Area Appraisal and Management Plan 2009 (CAAMP) which points out, and I accept, that the introduction of signs alongside other features can alter the character of an area. I have identified that Kippington Road is relatively uncluttered by streetscape paraphernalia. The CAAMP refers to uncharacteristic signage throughout the CA and seeks to minimise signage. It suggests locating signs on existing bollards, lamp posts or walls or buildings and using a unifying dark colour.
16. In itself I have found that the sign would be of acceptable design and colouring as would its location because of its siting and relationship to nearby features. I do not consider that by itself or in combination with other signage, this application would lead to an unacceptable cumulative impact.
17. Both parties refer to the need or otherwise for the signs, but this is not a factor that can be taken into account.
18. I conclude that the sign is of an acceptable size, design and materials. It is located in a discreet location and would be seen against the backdrop of a

hedge and the dwelling beyond. It would not be an incongruous feature or unduly create, or add to, clutter in the street scene. As a result the sign would preserve the character and appearance of the CA and would not be detrimental to visual amenity.

19. I have taken into account Policies EN1 and EN4 of the Allocations and Development Management Plan 2015 which respectively seek high quality design and that any development affecting a heritage asset conserves or enhances the character or appearance or setting of that asset insofar as they are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with either policy.

20. For the reasons given above and having had regard to all matters raised, the proposal would be not detrimental to amenity and that the appeal should be allowed.

Ann Skippers

INSPECTOR