
Appeal Decision

Site visit made on 31 October 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 29th November 2017

Appeal Ref: APP/Z5630/Z/17/3179028

Sainsbury's, Sury Basin, Kingston upon Thames KT2 5NZ

- 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 Sainsbury's Supermarkets Ltd against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 17/12037/ADV, dated 16 January 2017, was refused by notice dated 9 May 2017.
 - The advertisement proposed is described as 2no. illuminated replacement totem signs, 1 illuminated fascia sign on the first floor and 2no. non-illuminated ground floor aluminium panel signs.
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Decision

1. The appeal is allowed and express consent is granted for the display of one internally illuminated fascia sign on the first floor at Sainsbury's, Sury Basin, Kingston upon Thames KT2 5NZ 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 and the following additional conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 122111/A2 Signage Proposal and Existing and Proposed photographs; 122111/A3 Signage Proposal D; Site Location Plan; Site Location Plan Outlining Sign Locations.
 - 2) The intensity of the illumination of the first floor fascia sign permitted by this consent shall be no greater than 350 candela per square metre.

Procedural Matter

2. The Council issued a split decision and granted express consent for the two illuminated replacement totem signs and the two non-illuminated ground floor signs. Express consent was refused for the one internally illuminated fascia sign on the first floor. Therefore, for the avoidance of doubt my determination of this appeal relates to the one internally illuminated fascia sign on the first floor only.

Main Issue

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

Reasons

4. The appeal property comprises a two storey commercial building with a supermarket on the ground floor and a gymnasium on the first floor. It is located at the junction of Sury Basin with Richmond Road. The surrounding area contains number of retail and commercial premises with various designs of both illuminated and non-illuminated signage.
5. The proposed first floor fascia sign would measure approximately 0.9m x 2.5m and would be erected on the relatively large panelled façade of the south elevation of the building facing towards Sury Basin. This elevation also contains two large existing illuminated signs at first floor level comprising a 'Sainsbury's' sign located at the eastern end of the elevation and a 'Nuffield Health' sign located at the western end. The appellant indicates that these signs measure approximately 1.9m x 10.2m and 2.4m x 8m respectively. The proposed sign would be located adjacent to the western side of the 'Sainsbury's' sign.
6. Although the proposed sign would lead to an increase in the number of fascia signs on the south façade of the unit, its small size relative to the existing signs would result in it appearing as a subordinate feature that is consistent in its positioning with rhythm of existing signage. In addition, the majority of the first floor panelling would remain clear of signage. As such, the architectural appearance of the building would appear largely unaltered.
7. The proposed sign would be of a simple design that would appear as a relatively minor feature. It would be proportionate to the existing signage and the appearance of the south elevation of the building. The remaining blank mass of the existing first floor panelling would enable the unit to accommodate a sign of this size without it appearing excessive in scale, dominant or unacceptably contrasting with the style of the existing signs or resulting in the appearance of visual clutter.
8. Although the sign is proposed to be internally illuminated, my observations of the existing illuminated signage sign on the first floor of the unit suggest that its appearance would be fairly subtle and in keeping with the commercial nature of the unit and the surrounding area. As such, the illumination of the sign would be acceptable in this location. Moreover, given the number of commercial uses now occurring in the building the presence of a number of adequately proportioned signs would not be unusual on sites such as this close to the town centre.
9. Having viewed the proposed position from a number of locations along Sury Basin and Richmond Road, I am satisfied that the proposed fascia sign would not stand out as being excessive in scale, incongruous, or unacceptably over-dominant in relation to the building or the street scene.
10. Taking the above factors into consideration, I conclude that the proposed sign would not cause demonstrable harm to the character and appearance of the existing building or the surrounding area. It would therefore not conflict Policies CS 8 and DM 10 of the Royal Borough of Kingston upon Thames, Local Development Framework, Core Strategy (2012) or Policies K2 and K9 of the Kingston Town Centre Area Action Plan (2008). These policies, amongst other things, require that proposals should be of a high standard of design that respects the character and local distinctiveness of the street or area and

require that shop fronts enhance the quality of the street scene and provide attractive frontages.

Conditions

11. In addition to the five standard conditions set out in Schedule 2 of the Regulations, the Council has suggested a number of other conditions which I have considered against the advice contained in the section on 'What conditions can be imposed on an express consent' in the Government's Planning Practice Guidance. As a result, I have amended one of them for clarity and eliminated some for the reasons set out below.
12. I have imposed a condition requiring that the advertisement sign is displayed in accordance with the approved plans. This is in the interests of certainty. However, the Council's suggested condition also refers to the plans showing details of the illuminated replacement totem signs and the non-illuminated ground floor aluminium panel signs. As these signs have already been granted express consent by the Council I have deleted reference to these in the condition imposed. A condition is necessary to restrict the illumination intensity of the sign in order to protect the character and appearance of the surrounding area.
13. The Council has also suggested two other conditions relating to the illumination of the signs to be applied to the existing totems. As these signs have also already been granted express consent by the Council I have deleted these.

Conclusion

14. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR