

Appeal Decision

Site visit made on 15 July 2019

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 August 2019

Appeal Ref: APP/P5870/Z/19/3228892
B&Q, 31-35 Stafford Road, Wallington

- 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 B&Q against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00262, dated 13 February 2019, was refused by notice dated 16 April 2019.
 - The advertisement proposed is for internally illuminated fascia sign x1, internally illuminated projecting signs x4 and non-illuminated fascia signs x2.
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Decision

1. The appeal is allowed and consent for the display of an internally illuminated fascia sign, 4 No internally illuminated projecting signs and 2 No non-illuminated fascia signs, as applied for, is granted. 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.

Procedural Matters

2. The application was made in the name of B&Q. The appeal was made in the name of Ms Alexandra Burkart, who was the agent for the original application. It has been confirmed that the appeal is to proceed in the name of B&Q.
3. The application form incorrectly gave the address as Stafford Street rather than Stafford Road.
4. At the time of my visit I saw that the internally illuminated fascia sign and the internally illuminated projecting signs had been installed. The windows the subject of the proposed non-illuminated fascia signs were wholly obscured and vinyl lettering had been applied to them although not strictly in accordance with that shown on the application drawings either in terms of content or colour. I have considered the appeal based upon the advertisements that were shown as proposed on the application drawings.
5. I note that the Council has wrongly added the prefix 'DM' to Policy 28 of the Sutton Local Plan 2016-2031 (2018) in their reason for refusal.

Main Issue

6. The Council had no objection to the internally illuminated fascia sign or the internally illuminated projecting signs. I have no reason to disagree. The main
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issue therefore is the effect of the proposed non-illuminated fascia signs upon amenity.

Reasons

7. The appeal site is located along a main road amongst a mix of retail and commercial uses of various types and ages, many with residential uses above. The appeal premises occupy the ground floor commercial floorspace of a contemporary four-storey block with residential uses on the upper floors. The ground floor frontage has four large glazed openings. Two of these are unobscured and afford access and sight into the shop floorspace that is accessible to the public. The remaining two glazed openings are obscured, preventing sight into an area of the business that operates for the storage of goods.
8. The area is busy and vibrant. However, there is no consistent shopping frontage that appeared to clearly define an obvious core retail area along either side of this part of Stafford Road. The businesses comprise an indiscriminate mix of types and shop fronts, some with conventional window displays set at the back edges of the pavements, others with various means of screening applied to the windows, with others still recessed behind frontage seating areas or pavement displays. I could not discern any importance to the significance of window displays in the locality either in terms of retail function or visual amenity.
9. Although half of the glazed openings to the appeal property would be obscured, this would not be in a featureless way. The vinyl screens would be internally applied such that the horizontal and vertical glazing bars to the fenestration would stand proud and would remain to be seen. The individual white lettering would add interest. The frontage windows overall would display a mix that would reflect the established character for businesses in the area. In addition, the property's frontage is deeply recessed behind the pavement, with a parking area in front of the windows in question. As such I did not recognise the commercial frontage of the appeal building as being particularly prominent within the street scene, as has been suggested by the Council.
10. In my assessment the graphics that would be applied to the windows would be neither excessive nor dominant. They would appear as co-ordinated parts of the commercial operation and the building's frontage as a whole, without detracting from the amenity of the area. As such, I find no conflict with part r of Policy 28 of the Sutton Local Plan 2016-2031 (2018), or the guidance contained within Sutton's Urban Design Guide 2008.
11. Other than the five standard conditions set out in Schedule 2 of the 2007 Regulations the Council has not suggested that any other conditions would be necessary.

Conclusion

12. For the reasons given, and having regard to all other matters raised, I conclude that the non-illuminated fascia signs would not be detrimental to the interests of amenity. The appeal therefore succeeds.

John D Allan

INSPECTOR