



Appeal Decision

Site visit made on 14 October 2019 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 5 November 2019

Appeal Ref: APP/Q3630/Z/19/3233583

1 London Street, Chertsey, KT16 8AP

- 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 Rob Weller, Pizza Express against the decision of Runnymede Borough Council.
 - The application Ref RU.19/0564, dated 28 March 2019, was partly refused by notice dated 14 June 2019.
 - The advertisement is described as 1 set of halo illuminated text reading PIZZA EXPRESS, 1 set of non illuminated secondary text, 1 halo illuminated projection sign, 2 internally illuminated roundels and retention of existing illuminated take away sign.
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Decision

1. The appeal is allowed, and express consent is granted for the display of 2 internally illuminated roundels. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations¹.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of development set out above, is taken from part E of the appeal form as it includes all the advertisements applied for.
4. The Council issued a split decision on the application refusing the 2 internally illuminated roundels and granting consent for the other signage described above. As such, this appeal only relates to the refused roundel signs which I observed on my site visit were being displayed.

Main Issue

5. The main issue in this case is the effect of the advertisements on the visual amenity of the area.

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007(as amended)

Reasons for Recommendation

6. The Council has drawn my attention to the policies and guidelines it considers to be relevant to this appeal and I have taken them into account as a material consideration where relevant. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (Framework) and the Planning Practice Guidance (PPG) reiterate this approach. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
7. The appeal site is the corner unit of a two and three storey commercial terrace, located on a busy commercial street in the heart of Chertsey Town Centre. The appeal building is locally listed and sits within the Chertsey Town Centre Conservation Area (CA). The building is close to a number of listed buildings, most notably the grade II* listed St Peters Church which is adjacent to the west, and the grade II listed Nos 132 and 134 Guilford Road, sited directly opposite the site to the south. Given this close relationship I consider that the appeal building forms part of the setting of these heritage assets.
8. Given the above, I am mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas and the guidance contained within the Framework which states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and that great weight should be given to the asset's conservation.
9. Whilst amenity is not defined exhaustively within the Regulations, it does indicate that relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The PPG states that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.
10. No information is provided regarding the significance or special interest of the locally listed appeal building nor the wider CA. However, it is evident from the site visit that the appeal building is located in a prominent position on the junction of London Street, Windsor Street and Guilford Street, with a footpath running directly next to it to the north, within the centre of the CA. Surrounding the appeal site are commercial properties of varying scale and appearance with a variety of externally and internally illuminated signage. These are generally at street level, with historic, generally uncluttered building frontages above.
11. The advertisements are described as an upgrade of the previous Pizza Express signage. The roundel signs are described as being 1.1 metres in diameter and 0.66 metre in the Council's report. The larger sign is positioned centrally within the shopfront and the smaller is positioned on the side elevation of the building. Although the signs are not insignificant in scale, they do not appear

excessive nor dominant, on what is a substantial and architecturally robust elevation.

12. Furthermore, the level of illumination proposed is limited, with the larger sign being viewed in the context of the illuminated interior of the restaurant and the smaller sign being screened to a degree by existing mature trees. Neither sign is intrusive in the street scene, nor harmful to the setting of nearby listed buildings.
13. In light of the foregoing I conclude that the roundel signs do not detract from the architectural and historic interest of the area including the locally listed building upon which they are positioned, or the setting of the nearby listed buildings. The signs preserve the significance of these heritage assets as well as the character and appearance of the CA. They are not harmful to the visual amenity of the area. There is no conflict with the aims of Policies BE5, BE9, BE10 or BE19 of the Runnymede Borough Local Plan Second Alteration 2001 (Local Plan) which collectively require the preservation or enhancement of the character or appearance of conservation areas, and the preservation of the setting of listed buildings. It is noted that Local Plan Policy BE19 refers to Appendix G, however this is not before me, so I have not been able to consider this in this appeal.

Conditions

14. The Council has indicated that other than the five standard conditions set out in schedule 2 of the Regulations, no further conditions are recommended. On the basis of the evidence before me and from my observations, I concur that these conditions are necessary.

Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

RC Kirby

INSPECTOR