



Appeal Decision

Site visit made on 31 October 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 13th November 2019

Appeal Ref: APP/G5180/Z/19/3234970

Nugent Shopping Park, Cray Avenue, Orpington BR5 3RP

- 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 Richard Page of Insite Poster Properties Ltd against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/01970/ADV, dated 01 May 2019, was refused by notice dated 12 July 2019.
 - The advertisement proposed is described as, 'Erection of a digital advertising display - Display of illuminated static images on a 10 second sequential rotation. - No special effects including animation, flashing, or fading. - Illumination: Display will monitor and adjust to ambient light levels. Day max 600 candela/sqm. Night max 300 candela/sqm.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. While I note the description of development on the decision notice, I have used the description from the application form in the interests of certainty.

Main Issue

3. The main issue is the effect of the proposed advertisements on the visual amenity of the area.

Reasons

4. The site lies on Cray Avenue which is a busy main road in a commercial area. There are commercial and retail units set back from the road with associated fascia signage. However, there are fewer free-standing totem style signs and these are generally narrow and located near to the associated stores. Given its location, the site would be readily visible from Cray Avenue and when passing Nugent Shopping Park.
5. The proposed sign would be a digital free-standing sign located on an existing grass verge. While it would fall within the site of Nugent Shopping Park, the sign would be near the pavement and a significant distance from the nearest buildings. Moreover, while the width and height of the sign would be less than that of the surrounding buildings, trees and vegetation, it would nevertheless be of a significant size and given its position near to the pavement would add further advertisement clutter to this stretch of road. Therefore, while I note the commercial character of the area and the proximity to the railway bridge, given

the location, size and illumination of the sign, it would appear as a prominent, inharmonious and visually intrusive feature in the street scene.

6. I note the digital sign of a similar size to the appeal sign near the railway bridge. However, since it is located near to the bridge, it is not as prominent as the appeal sign would be. I also note that the proposed illuminated static images would be in full accordance with the Institute of Lighting Professionals best practice guidance and that the advertisements would be presented on a 10 second sequential rotation without any movement, animation, or special effects. I acknowledge that the proposed sign's digital operation could be controlled by a condition. However, these points would not reduce the harm caused by its siting and size.
7. Consequently, the proposed advertisement would have a harmful effect on the visual amenity of the area.
8. The Council has cited Policy 102 of the Local Plan London Borough of Bromley Planning Division January 2019 in the reason for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken this Policy into account, it has not been a decisive consideration in my determination of this appeal.

Conclusion

9. For the reasons given above, I conclude that the appeal should be dismissed.

R Sabu

INSPECTOR