



Appeal Decision

Site visit made on 23 October 2019

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2019

Appeal Ref: APP/Z3635/Z/19/3233786

Charlton Lane Eco Park, Charlton Lane, Shepperton TW17 8QA

- 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 Ms Emma Smyth against the decision of Spelthorne Borough Council.
 - The application Ref 19/00444/ADV, dated 25 March 2019, was refused by notice dated 29 May 2019.
 - The advertisement proposed is Retention of freestanding 6.52m tall non-illuminated sign at entrance (retrospective).
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Decision

1. The appeal is allowed and express consent is granted for the freestanding 6.52m tall non-illuminated sign at entrance, 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.

Procedural Matters

2. The description of development set out within the banner above has been taken from the Council's decision notice, rather than from the original application form or the appeal form. This is because it is a more succinct and accurate description. However, in allowing the appeal, I have removed reference to the retention of the sign as well as the word 'retrospective'. This is because these matters are not relevant to the advertisement itself. In making these changes, I am satisfied that the interests of the main parties have not been compromised.
3. The appeal site is located within the Green Belt. However, Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that advertisements are subject to control only in the interests of amenity and public safety. Consequently, issues relating to inappropriateness, other considerations and very special circumstances do not apply and I have assessed the appeal accordingly. For the same reason, I have not considered whether the sign is or is not necessary.

Main Issue

4. The main issue is the effect of the proposal on the amenity of the locality.

Reasons

5. The appeal site forms part of a wide T-junction that provides the entrance to a large, modern waste management facility. The sign is located on an island which sits centrally within the junction. It is also set back from the main highway.
6. The sign is large and brightly coloured, and it is prominently located at the entrance to the facility. However, due to the size of the junction in which the sign is located, it sits in space and is removed from any other comparable structures. The sign therefore appears as a standalone structure of a scale that is appropriate to the space in which it is located. The colour of the sign takes its reference from the design of the waste management facility and the cut-away lettering is a distinct design choice which in my view, complements the vibrant and modern colour choice. As a consequence, the size, colour, and design of the sign are complementary to the surrounding context.
7. Matters in relation to understanding or legibility do not form part of my considerations and therefore, for the reasons identified above, I am satisfied that the sign does not appear as an intrusive or overly large addition to the road. Instead, it is of a suitable size for the context in which it is located. Consequently, I conclude that the sign has an acceptable effect on the amenity of the area. It therefore accords with the requirements of Paragraph 132 of the National Planning Policy Framework which seeks to protect the quality and character of places from poorly sited and designed advertisements.

Other Matters

8. Due to the location of the sign, it will be visible to highway users. However, I have no compelling evidence before me to suggest that the sign has an adverse effect on highway safety. Indeed, the Highway Authority did not object to the proposal and the Council did not refuse consent for this reason. Therefore, based on the evidence before me, I have no reason to disagree with this conclusion.

Conclusion

9. For the reasons identified above, the appeal is allowed.

Martin Chandler

INSPECTOR