



Appeal Decision

Site visit made on 25 November 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2019

Appeal Ref: APP/F5540/Z/19/3235469 352 Bath Road, Hounslow TW4 7HW

- 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 Faisal Ghaffar of Khan's Karahi against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00083/352/AD9, dated 10 April 2019, was refused by notice dated 22 July 2019.
 - The advertisement proposed is described as 'alterations to the shop front with fast LED signs'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The submitted elevation drawings show a narrow entrance door to a flat, to the right of the shopfront. No such door was visible when I visited the appeal site, with the shopfront encompassing the full width of the appeal property at ground floor level. This appeal concerns the display of advertisements only and does not concern other works to the shopfront.
3. Section 5 of the application form states that the advertisements are in place; Section D of the appeal form states that the advertisements are not currently displayed. When I visited the site, an externally illuminated fascia sign, an internally illuminated LED fascia sign and an internally illuminated LED projecting sign were displayed at the appeal property. These advertisements are not shown on the existing elevation drawings. However, the fascia signs are larger and positioned differently to the advertisements shown on the proposed elevation drawings.
4. Regardless of these inconsistencies, I have determined this appeal on the basis of the submitted drawings and information.

Main Issue

5. The main issue is the effect of the proposed advertisements on amenity.

Reasons

6. The appeal property is a hot food takeaway, located at ground floor level within a parade of shop-type uses, set back from Bath Road by an area of car parking.

7. The parade is formed of 3-storey, flat-roofed buildings with flats on the upper floors. The shop units are of varying sizes and designs, some of which include awnings to the front. There is not a strong visual rhythm to the parade.
8. However, there is a generally common fascia level visible along the different buildings of the parade, although a number of shop units include signs which are displayed above and below this level, including the appeal property. There are also a number of projecting signs displayed both above and below the fascia level. The illuminated advertisements which I observed on the parade were generally static displays.
9. The proposed fascia signs would be larger than the existing fascia sign shown on the submitted drawings. Whilst there is some variety to the signs displayed along the parade, the size and position of the proposed fascia signs, which would extend above and below the common fascia level, would be over-dominant on the appeal shopfront and harmful to visual amenity.
10. However, the size and position of the proposed projecting sign would not be out of keeping with the appeal building shopfront, or the parade generally, and would not, therefore, be harmful to visual amenity in this regard.
11. Paragraph 4.5 of the Council's officer report describes the fast LED digital signs, which are said to be existing. The description generally accords with my observations of the fascia and projecting signs displayed at the appeal property at the time of my visit.
12. The appellant has not disputed the Council's description of the signs as 'brightly coloured, moving and advertising a range of different products (as opposed to just the name of a shop or business)' and has provided very limited evidence regarding the proposed displays. Furthermore, I note that the *FAST LED SIGNS specification form* in the evidence refers to 'video, animation, graphics, messages, text' which can be 'controlled by the user'.
13. From the evidence and my observations on site I am satisfied that the proposed signs would be similar to the LED-signs that are currently displayed at the appeal property.
14. Illuminated moving images of the type currently displayed are visually intrusive features which are generally incongruous in the shopping parade, and particularly in the immediate vicinity of the appeal site. In my view, the proposed animated and illuminated displays on both the fascia sign and the projecting sign would also be harmful to visual amenity, therefore.
15. For these reasons the proposed advertisements would be detrimental to visual amenity in the area.

Other Matters

16. Reference is made by the appellant to the advertisements on the other ground floor units, including the next door properties. However, the appellant's photographs of the next door unit¹ to the east do not match what I observed on site and in any event, each proposal should be considered on its individual merits, which is what I have done in this case.

¹ Supplemented by paragraphs 4.14 and 4.15 of the appellant's statement of case.

17. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, requires advertisement consent applications to be determined *in the interests of amenity and public safety*. The sustainable location of the appeal property within a shopping parade or changes to the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), which the appellant considers reduce regulations and support economic growth, do not cause me to reach a different conclusion with regard to the harm to amenity identified above.
18. The appellant also refers generally to emerging development plan policies but does not specify any as being of relevance to this case. I also note the appellant's comments regarding the use of conditions. Neither of these points cause me to reach a different conclusion with regard to the harm to amenity that the proposal would cause.

Conclusion

19. I have had appropriate regard to Policies CC1 (context and character) and CC5 (advertisements) contained in the Hounslow Local Plan 2015-2030 and the *Shop front design guidelines* Supplementary Planning Document 2013. These policies and guidance, amongst other things, seek to protect amenity and so are material in this case.
20. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR