



Appeal Decision

Site visit made on 9 November 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd December 2020

Appeal Ref: APP/G5180/Z/20/3253702

Unit 1, Springvale Retail Park, Sevenoaks Way, Orpington BR5 3SG

- 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 L Knaggs against the decision of the Council of the London Borough of Bromley.
 - The application Ref DC/19/05311/ADV, dated 19 December 2019, was refused by notice dated 16 March 2020.
 - The advertisement proposed is LED Digital Displays to show special offers etc.
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Decision

1. The appeal is allowed and express consent is granted for LED Digital Displays to show special offers etc. 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 and the following additional conditions:
 - The intensity of luminance of the advertisements shall be no greater than 300 candela per square metre during the hours of darkness;
 - No individual advertisements displayed on the panels shall contain moving images, animation, video, full motion images, or images that resemble road signs or traffic signs;
 - The interval between successive displays shall be instantaneous (0.1 seconds or less) with no flashing and a smooth instant change onto the next static poster image and the complete screen shall change, there shall be no visual effects including swiping or other animated transition methods between successive displays; and
 - The sequential advertisement on any display panel shall not change more than once every ten seconds.

Procedural Matters

2. The description of the proposal has been altered from the application form to the decision notice. The application form adequately describes the proposal and I have determined the appeal on this basis, although I have made a slight alteration given that two displays are proposed.
3. The Council has drawn my attention to Local Plan Policy it considers to be relevant to this appeal and I have taken it into account as a material consideration. 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. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

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

Reasons

5. The digital displays relate to a retail premises on the Springvale retail park. The area has a highly commercial character while industrial premises occupy land to the west across the A224. Both displays would be placed high on the west and north facing elevations of the Wren store facing across car parks.
6. The evidence indicates that one large digital display has recently been approved at the site and indicates that there is a history of approvals for illuminated signage.
7. While digital displays do not appear to be a common feature, I am mindful of the highly commercial and industrial character of the area and the wide range and high volume of signage that is already present within the locality. Within this context, the proposed digital displays would not be out of character with the area.
8. Subject to the imposition of a number of conditions I am satisfied that the digital displays would cause no harm to the visual amenity of the area and would be acceptable in terms of public safety. They would therefore accord with the amenity and public safety aims of Policy 102 of the Bromley Local Plan (2019).

Conditions

9. In addition to the five standard conditions set out in the Advertisement Regulations, conditions are necessary which prohibit moving images, and which regulate the frequency of image changes and the level of illumination in the interests of highway safety and visual amenity.

Conclusion

10. For the reasons above, the appeal should be allowed.

T J Burnham

INSPECTOR