



Appeal Decision

Site visit made on 19 January 2021 by Scott Britnell MSc FdA MRTPI

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2021

Appeal Ref: APP/X0360/Z/20/3260237

3 Wargrave Road, Twyford RG10 9NY

- 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 Dr Oberah Qadeer of Shine Dental and Facial against the decision of Wokingham Borough Council.
 - The application Ref 201561, dated 29 April 2020, was refused by notice dated 21 August 2020.
 - The advertisements proposed are described as '1No. Backlit signage above window - exterior, 1No. Backlit signage above front door - exterior.'
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Decision

1. The appeal is dismissed.

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.

Procedural Matters

3. The Council indicates that the application was made retrospectively, although the advertisements had been removed by the time of my visit. The Council's decision notice also refers to only one drawing which shows the location of the advertisements. I have asked the Council to provide further details of the advertisements that it refused, and photographs have been submitted. These have been shared with the appellant who does not dispute that these are the relevant advertisements and I have proceeded on this basis.

Main Issue

4. The Council do not object to the proposed advertisements on the grounds of public safety. Having considered this matter, there is nothing that leads me to reach a different conclusion.
5. The main issue in this appeal is the effect of the proposed advertisements on visual amenity with particular regard to whether it would preserve or enhance the character or appearance of the Twyford Conservation Area.

Reasons for the Recommendation

6. The Regulations, National Planning Policy Framework (the Framework) and the Planning Practice Guidance make it clear that advertisements should be subject

to control only in the interests of public safety and amenity. I have also had regard to the policies of the Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan February 2014 (MDDLDP) referred to in the Council's decision notice. However, having regard to the above these policies have not been decisive in my consideration of this appeal.

7. The appeal site is located in the Twyford Conservation Area (TCA). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that, in the exercise of the statutory duty, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This statutory duty applies in advertisement appeals insofar as it relates to the consideration of amenity.
8. The proposal is for two internally illuminated fascia advertisements to be located above a ground floor door and window. The appeal premises are in a prominent location close to a corner at the centre of Twyford. There are a number of signs in the area of different size, form, design and materials. Given this context, the size, form, design and materials of the proposed advertisements would be acceptable. Notwithstanding this, advertisements in the area are predominantly externally illuminated and this is a significant contributing factor to the muted character and appearance of the TCA in this respect.
9. Due to their internal illumination, the proposed advertisements would appear at odds with the general form of advertising in the area. Thus, in conjunction with their location and prominence within the streetscene, they would be out of keeping with, and incongruous additions to, the area. They would also appear particularly prominent during the hours of darkness and periods of inclement weather. Consequently, the proposed advertisements would cause harm to the character and appearance of the TCA, which they would fail to preserve or enhance.
10. In reaching this decision, I note that the application form indicates that the illumination of the proposed advertisements would be intermittent. However, no further details regarding this matter have been submitted. I noted at my visit what appeared to be external lighting in the location of the proposed advertisements. It is not clear whether this served the previous signage at the premises, although in the event that those were externally illuminated, the proposed advertisements would still be harmful for the reasons I have set out.
11. The appellant suggests that the advertisements need to be illuminated to assist customers with visual impairments, that the previous signage was of the same size and material and were replaced because they were looking worn, and that the current lack of signage will have a detrimental effect on his business. However, these matters do not outweigh the harm that I have identified, and it is likely that they could be addressed through alternative solutions which would not result in such harm. Thus, I afford them limited weight.
12. In light of the foregoing, I conclude that the proposed advertisements would have a harmful effect on the visual amenity of the area. It would therefore fail to preserve or enhance the character and appearance of the TCA. There would be conflict with Policies TB19 and TB24 of the MDDLDP. These state, among other things, that the Council will only permit outdoor advertisements where they demonstrate there is no harmful impact on the character and appearance

of the area and that they will conserve and seek the enhancement of designated heritage assets in the Borough. There will also be conflict with paragraph 132 of the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion and Recommendation

13. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

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

Zoe Raygen

INSPECTOR