
Appeal Decision

Site visit made on 18 May 2021

by C Osgathorp BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2021

Appeal Ref: APP/K3605/Z/21/3267267

141 Hersham Road, Walton-on-Thames KT12 1RW

- 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 Mrs Tina Stephens (Vincent Flooring Ltd) against the decision of Elmbridge Borough Council.
 - The application Ref 2020/2288, dated 8 September 2020, was refused by notice dated 25 November 2020.
 - The advertisement proposed is double sided sign at site entrance facing in southern and western directions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I observed at my site visit that the proposed sign has been installed. I have therefore determined the appeal on the basis of the advertisement that is already being displayed.
3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to advertisements. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ('the Regulations') makes it clear that advertisements are subject to control only in the interests of public safety and amenity.

Main Issue

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

Reasons

5. The advertisement is a double-sided free-standing sign positioned on the eastern side of Hersham Road. It measures 2.75 metres by 2.3 metres and the base of the sign is raised 0.5 metre above ground level. The top of the advertisement is therefore 3.25 metres above ground level.
6. The vicinity of the appeal site is commercial in character and there are a range of advertisements visible. This includes shopfront signs on the shopping parade to the north, and there is a large panel sign on the side elevation of No 139 Hersham Road. Totem signs are sited at the nearby car dealership and petrol station, and the car dealership also includes a number of flag advertisements.

7. The commercial unit occupied by Vincent Flooring is recessed from the highway behind the adjacent shopping frontage, and so the need for directional signage adjacent to the highway for customers is understandable. Nevertheless, the advertisement subject of the appeal is very large and appears unduly prominent in the street scene. The excessive size of the sign causes unnecessary clutter, which harms the amenity of the area. A smaller advertisement could provide suitable direction to customers and be visible from the road above the adjacent low fence, without appearing unduly prominent in the street scene. I note the appellant's evidence that there was previously a free-standing sign in the position currently occupied by the advertisement, however this was smaller and less obtrusive than the appeal scheme before me.
8. I acknowledge the appellant's reference to the various advertisements in the area. The shopfront signs to the north are generally of modest size and are typical of a shopping parade. The advertisements at the car dealership and petrol station are common for these types of uses and are in keeping with the scale of the buildings that they are closely related to. The panel sign on the side elevation of No 139 Hersham Road is large and prominent in the street scene. However, I am unaware of the planning history of this sign and it would not justify the excessive size of the advertisement that is subject of this appeal.
9. For these reasons, I conclude that the advertisement is harmful to the amenity of the area. It is therefore contrary to Policies DM2 and DM15 of the Elmbridge Local Plan Development Management Plan April 2015, which, amongst other things, state that consent will be granted provided that advertisements are well designed to ensure they do not harm visual amenity, are in proportion to their surroundings and do not result in undue clutter.

Conclusion

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

C Osgathorp

INSPECTOR