



Appeal Decision

Site visit made on 27 July 2022

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th August 2022

Appeal Ref: APP/G2245/Z/21/3284389

46 London Road, Sevenoaks TN13 1AS

- 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 Tom Barnshaw against the decision of Sevenoaks District Council.
 - The application Ref 21/02542/ADV, dated 28 July 2021, was refused by notice dated 4 October 2021.
 - The development proposed is a front fascia and projecting hanging signs, side hoarding sign.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposed fascia and side hoarding signs have already been installed, and so I have considered them as such in this appeal.
3. The same advertisement scheme as that before me was dismissed by appeal (reference APP/G2245/Z/20/3257648) in October 2020. The reason for dismissal was that the advertisements would result in an adverse impact on amenity and neither preserve nor enhance the character or appearance of the Conservation Area, harming its significance, and conflict with Section 72(1) of the Act.

Main Issue

4. Paragraph 136 of the National Planning Policy Framework (the Framework) states advertisements are subject to control only in the interests of amenity and public safety. This is prescribed within the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the COA).
5. Regulation 3(2) of the COA confirms factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic interest. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that within conservation areas special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area
6. No objection has been raised on the grounds of public safety and on review of the evidence before me, I agree with this. Therefore, the main issue is the effect of the appeal proposal on amenity and whether it would preserve or enhance the character or appearance of the Sevenoaks Town Conservation Area (CA).

Reasons

7. The appeal property is a 2-storey, white rendered commercial building within the Sevenoaks High Street Conservation Area (CA) and is locally listed. It's importance is linked to the historic economic development of Sevenoaks, and it is considered to contribute to the townscape and street scene. The CA covers the historic focus of the town from the central fountain and the surrounding roads which form the traditionally commercial heart of the town.
8. The Sevenoaks High Street Conservation Area Appraisal and Management Plan (CAAMP) sets out the important issues affecting the special architectural and historic interest of the CA including garish and inappropriate shop signs. The Framework sets out that the quality and character of a place can suffer when advertisements are poorly sited and designed. Therefore, the impact on visual amenity by any advertisement is critical and strict control should be maintained especially in susceptible areas such as conservation areas and retails areas, as in the CA.
9. The proportions of the fascia sign are acceptable in terms of height and width and retains a comfortable position within the building frontage. However, its depth (originally intended for internal lighting) means the sign projects excessively from the frontage of the building and the materials it is made from are not contextual to the host building thus detracting from its significance, as a non-designated heritage asset, and the CA as a whole. This is the same conclusions drawn by my colleague in his dismissal of the previous appeal for this proposal.
10. The proposed form and size of the projecting hanging signs would be in keeping with other examples in the CA. However, I agree with the Council and previous Inspector that 2 would lead to a cluttered frontage detracting from the simple form of the building, harming its status within this historic part of London Road.
11. The appellants assertion that there are multiple examples of similar fascia and projecting hanging signs within the CA is noted. Nevertheless, suboptimal design elsewhere is not a justification for the continuation of such practices, particularly in areas of historic significance.
12. The use of sides of buildings for advertisement is established within the CA, and that the proposed side hoarding sign is small in comparison to other examples in the CA. However, due to the importance of the appeal property, as a locally listed building, and its unpretentious and simple form, the side hoarding sign would look incongruous, detracting from the heritage assets' visual quality and visual amenity.
13. I appreciate advertising is important to the business within the appeal property and that the multiple signs allow identification of that business from multiple locations. Having taken the opportunity to view the examples put forward by the appellant, it is apparent that the CA is sensitive to poorly designed advertisement. I therefore find that the proposed scheme would have a negative impact on the visual amenity of the area and the harm identified in the previously dismissed appeal 3257648 has not been addressed.

14. The proposed signage would therefore have an adverse impact on amenity and fail to preserve or enhance the character and appearance of the CA, so would not comply with regulation 3(2) of COA and section 72(1) of the Act.
15. I have considered Policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan, and Policy SP1 of the Sevenoaks Core Strategy Policy which seek to protect amenity insofar as they relate to design quality and the conservation or enhancement of the character and appearance and setting of heritage assets. Whilst not decisive, I find the proposal contrary to these policies also.

Other Matters

16. The appeal property is also attached to 48 London Road, which is a grade II listed building. As the appeal is made under the COA, section 66(1) of the Act does not apply. Nevertheless, regard for No 48 as part of the CA was considered in my main reasoning.

Conclusion

17. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

RJ Redford

INSPECTOR