



Appeal Decision

Site visit made on 16 November 2022

by A. Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2022

Appeal Ref: APP/K3605/Z/22/3296076

Petrol Filling Station, Stoke Road, Cobham KT11 3AS

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Motor Fuel Group LTD against the decision of Elmbridge Borough Council.
 - The application Ref 2021/3402, dated 24 September 2021, was refused by notice dated 3 February 2022.
 - The advertisements proposed are described on the application form as 'installation of new internally illuminated fascia and tablet sign. New Costa Coffee hanging sign, posters frame, and false window sign to be installed to sales building. Existing totem sign signage updated to include Londis signage.'
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Decision

1. The appeal is allowed and express consent is granted for the 'installation of new internally illuminated fascia and tablet sign. New Costa Coffee hanging sign, posters frame, and false window sign to be installed to sales building. Existing totem sign signage updated to include Londis signage' at Petrol Filling Station, Stoke Road, Cobham KT11 3AS as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended (the 'Regulations').

Preliminary Matters

2. The Council's reason for refusal relates to amenity with no objection to the proposals on grounds related to public safety. As the scheme neither interferes with wayfinding signs nor visibility of the highway network, I have no reason to disagree with these findings.
3. The advertisements have already been installed, therefore I am considering this appeal retrospectively.

Main Issue

4. The main issue is the effect of the advertisements on amenity, including on the character or appearance of the conservation area.

Reasons

5. The appeal site comprises a petrol filling station including forecourt canopy, car wash and sales building. The site is situated adjacent to the busy Stoke Road. Properties surrounding the site are predominantly in residential use, with a nursing home to the east.

6. Part of the site is within the Tilt Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA lies in its built form, comprising a largely linear settlement of modest groups and individual dwellings, set around a series of open areas and areas of common land.
7. The wider Stoke Road maintains a verdant and open character with buildings set back from the road behind mature vegetation and wide verges. Consistent with this, the petrol filling station is set back from the road behind mature trees and a green verge. This minimises its visual significance, providing an open setting that contributes to the character and appearance of the entrance to the CA.
8. Whilst the advertisements are numerous, they are positioned in locations typical of a site of this nature. The wall mounted fascia sign stretches across much of the front elevation of the sales building. However, this is simple and does not appear out of proportion. Similarly, the tablet sign, hanging roundel, poster frame and window graphics are generally limited in size and are contained to the established commercial frontage of the sales building. These are all set well back from Stoke Road. The sign within the established totem sign is small and simple, and replaces a sign of the same scale.
9. Although a number of the advertisements are internally illuminated, these are typically either in the position of established illuminated signs or close to the existing sales building. Moreover, the canopy and shop are illuminated during hours of operation. Illumination here is therefore not unusual. As such, the advertisements assimilate to an acceptable standard with the location. The signs would not be excessive or out of keeping with the area, having a neutral effect on, and thus preserving the significance of the CA.
10. Consequently, I conclude that the siting, number and illumination of the advertisements is acceptable in respect of amenity, in accordance with the relevant provisions of Policies DM2, DM12 or DM15 of the Development Management Plan (2015). These policies, in summary, seek to encourage high standards of design quality, protect heritage assets and ensure advertisements do not harm visual amenity or impact on highway safety. The approach here is in a similar vein to the objectives of the National Planning Policy Framework insofar as good design, heritage assets and advertisements are concerned.

Other Matters

11. I note the comments raised by neighbours and others in respect of the advertisements. Matters relating to alleged planning breaches at the site, including any removal of trees and vegetation, are matters for the Council.

Conclusion

12. For the reasons outlined above, and taking all other relevant matters into consideration, I conclude that the appeal should be allowed subject to the five standard conditions set out in the Regulations.

A. Price

INSPECTOR