



Appeal Decision

Site visit made on 23 April 2024 by A Khan BSc (Hons) MA

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 OCTOBER 2024

Appeal Ref: APP/G5180/Z/24/3338253

West Wickham Veterinary Surgery, 20 Station Road, West Wickham, Bromley BR4 0PR

- 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 James Cessford (DNA Vetcare Ltd) against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/23/03142/ADV.
 - The development proposed is "Top fascia - aluminium fascia with vinyl graphics applied to face, externally illuminated by trough light downlighter. Bottom fascia - aluminium fascia with vinyl logo applied. non-illuminated, covering all transom windows. White vinyl with black vinyl 181 applied to transom window above neighbouring door. Double-sided projecting sign. Panels to be folded aluminium with 30mm returns fitted to 50mm internal steel framework. Stood off wall on 300mm bracket. Double-sided post sign. Panels to be folded aluminium with 30mm returns fitted to 50mm box section posts, bolted into lower wall."
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Decision

1. The appeal is dismissed insofar as it relates to the double-sided post sign, panels to be folded aluminium with 30mm returns fitted to 50mm box section posts, bolted into lower wall.
2. The appeal is allowed insofar as it relates to the top fascia - aluminium fascia with vinyl graphics applied to face, externally illuminated by trough light downlighter; bottom fascia - aluminium fascia with vinyl logo applied, non-illuminated, covering all transom windows; white vinyl with black vinyl 181 applied to transom window above neighbouring door and double-sided projecting sign, panels to be folded aluminium with 30mm returns fitted to 50mm internal steel framework, stood off wall on 300mm bracket, at West Wickham Veterinary Surgery, 20 Station Road, West Wickham, Bromley BR4 0PR in accordance with the terms of the application Ref DC/23/03142/ADV, and express consent is granted for their display. 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 condition:
 - 1) The advertisements permitted by this consent shall only be illuminated during the opening hours of the business occupying the site.

Appeal Procedure

3. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

4. The original application was made retrospectively. I am satisfied that the submitted plans accurately reflect what has been installed. Therefore, I have determined the appeal on the basis of the plans before me. The appeal seeks to retain the advertisements.
5. The National Planning Policy Framework (Framework) was revised during the life of the appeal. The substantive elements thereof as they relate to the appeal scheme have not changed. I am therefore satisfied that there is no need to seek the views of the main parties.

Main Issue

6. The main issue is the effect of the proposal on amenity.

Reasons for the Recommendation

7. The appeal site is situated on a high traffic road primarily comprising commercial premises at ground floor level and residential units above. Commercial signage is largely confined to shopfront fascia with some projecting signs of different types and at different levels. Some properties have A-boards in front, however these are temporary features. The neighbouring property has a freestanding sign in front of the premises, set back from the road and at low level.
8. The appeal scheme includes signage on the shopfront, including an externally illuminated fascia sign and images on the windows. The Council has not commented on these elements of the scheme, however there is nothing before me to suggest that they have been withdrawn from the proposal, therefore I must consider all elements of the scheme before me. These elements on the shopfront and fascia are consistent with other types of commercial advertisements in this row of properties and, as such, do not harm amenity.

The externally illuminated double-sided projecting sign

9. The projecting sign is located above the fascia, below the upper residential windows. There are some existing projecting signs of similar height along Station Road, including on the two immediate neighbouring properties. The sign is modestly sized and the same colour as the painted upper floor, and it is not unusual in this shopping frontage to have multiple signs on one building. In this context therefore, the projecting sign does not appear out of keeping during the day and the frontage does not appear unduly cluttered.
10. At night however, the illumination means that it will be more prominent. At this height and seen in conjunction with the other illuminated signage on the building, it cumulatively has a significant and harmful visual impact during the hours of darkness. The illumination could be controlled at night by condition however, limiting it to the hours of operation of the business. This would be sufficient to mitigate this harm.

The free standing externally illuminated double-sided post mounted sign

11. The ground mounted sign is free standing, much larger than the projecting sign and located by the pavement. It is the only sign in the area in close proximity to the road, is significantly taller than the freestanding sign in the adjacent property and is illuminated. Due to its location, size and illumination, the sign

is an unduly prominent and incongruous addition which dominates the street scene. Furthermore, when seen together with all the signage on the building, it adds to visual clutter. Therefore, it significantly harms the visual amenity of the area.

12. It has not been demonstrated that a sign of this size is needed to promote the business and enable the premises to be easily identified for emergency visits. There is also no substantive evidence before me to demonstrate that the signage has resulted in increased footfall for nearby businesses. While there are other sandwich-board type advertisements locally, they are temporary, not illuminated and smaller than this sign and are not therefore comparable. Therefore, these matters do not outweigh the harm this sign causes to the visual amenity of the area.
13. The appellant's proposed conditions to limit illumination would reduce the harm from the free-standing sign at night but not during the day. The location, size and height of the freestanding sign would still be apparent and highly visible during the day, and limiting its illumination would not be sufficient to address the resulting harm.

Conclusion on amenity

14. Accordingly, the free standing externally illuminated double-sided post mounted sign causes significant harm to the visual amenity of the area. I have taken into account Policy 102 of the Bromley Local Plan 2019 (LP) which states signs should have regard to the character of the surrounding area and be in keeping with the character of any buildings on which they are placed. I have also taken into account DG10 of the Urban Design Guide Supplementary Planning Document 2023, which requires shopfront design to respect the character of the building and its setting. Therefore, this policy and guidance are material in this case. Given I have concluded that the free standing sign would harm amenity, this element of the appeal scheme conflicts with these policies.
15. Furthermore, given I have concluded that the externally illuminated top fascia, bottom fascia, white vinyl and externally illuminated projecting sign would not harm amenity, these elements of the appeal scheme do not conflict with the above policies.
16. I have also had regard to LP Policy 37, to which the Council refers, but this focuses on development proposals. Advertisements are not development, therefore this policy is not directly relevant to the appeal scheme before me.

Other Matters

17. Concerns have been raised regarding public safety, particularly in terms of visibility for people leaving the car park. Given my findings on amenity however, I recommend dismissing the free standing externally illuminated double-sided post mounted sign on other grounds, so there is no need for me to consider this further.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed insofar as it relates to the free standing externally illuminated double-sided post mounted sign and

allowed insofar as it relates to the externally illuminated top fascia, bottom fascia, white vinyl and externally illuminated projecting sign.

19. In addition to the five standard conditions a further condition is required to control the hours of illumination of the projecting sign, in the interests of amenity.

A Khan

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and agree with the reasoning set out above. On that basis the appeal is allowed insofar as it relates to the top and bottom fascia, white vinyl and externally illuminated projecting sign, subject to the five standard conditions and additional condition listed above. The appeal is dismissed insofar as it relates to the free-standing sign.

L McKay

INSPECTOR