
Appeal Decision

Site visit made on 21 October 2024

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 November 2024

Appeal Ref: APP/Z5630/Z/24/3343536

17-19 Coombe Lane West, Kingston Upon Thames KT2 7NE

- 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 Ashton Meadows Nursing Home against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 24/00132/ADV, dated 16 January 2024, was refused by notice dated 12 March 2024.
 - The advertisement proposed is described as an aluminium box frame - 1000mm (H) x 755mm (W) fixed to brickwork boundary wall along Coombe Lane West with uplighter.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The proposal relates to this new nursing home. The proposed advertisement would be sited on the front boundary wall and illuminated by means of an uplighter placed at ground level. The advertisement would identify the nursing home and would be 1m high and 0.75m in width.
4. The surrounding area is predominantly residential in nature and contains numerous, mainly detached, houses within a mature setting. Notwithstanding the fact that Coombe Lane West is a busy road, the appeal site sits within a residential area with a distinctly sub-urban character. As far as signs and advertisements are concerned, I did not see any, apart from very small house name/numbers (and temporary estate agent boards), within the surrounding area. I appreciate that Kingston Hospital is a few hundred meters away to the west, but I consider that this has no effect on the assessment of the character of the surroundings of the appeal site, for this appeal.
5. Given the absence of other such signs, the proposal would appear obvious and out of place within this residential area. I acknowledge that the site has a wide frontage (having been an amalgamation of 2 plots) but this does not affect the size of the proposed sign itself.

6. There are other sources of light within the area, mainly from the street-lights, but also from some houses. However, these provide generally background lighting. The proposed illumination of the sign would be obvious and specific to the sign itself and would serve to make it all the more prominent within this residential area. I have taken account of other feature within the area such as the limited amount of street-furniture and road signs, as well as other lighting; none of these provide a context in which the proposal would appear acceptable, in my judgement. I have also taken account of the submissions from the appellant in relation to the level of illumination proposed. However, my objection is that the proposed illumination would serve to make an unacceptable feature more prominent and not specifically to the level of the proposed illumination.
7. The appeal site sits with the Kingston Hill/Coombe Hill Special Area of Strategic Character (ASC). This covers a large area and the appeal site is at its southern edge. I note that the ASC is not a homogenous area which includes quiet enclaves as well as busier areas such as the Coombe Lane West, as set out by the appellant. However, the appeal site and its surroundings possess qualities which justify its inclusion within the ASC and the location at its very edge does not imply a lesser justification for inclusion. In relation to this specific matter, I consider that the unacceptable effects of the proposal expressed in general terms above, would also bring about an unacceptable effect on the ASC.
8. The appellant expresses a functional need for the proposal. However, the Regulations make it clear that such applications will only be determined in the interests of amenity and public safety and there is no indication in the National Planning Policy Framework of the Planning Practice Guidance that other matters can be taken into account.
9. I have taken into account policies CS8 and DM10 of the Council's Core Strategy, which seek to protect amenity (amongst other things) and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. Taking account of all of the above matters, the appeal is dismissed.

T Wood

INSPECTOR