



Appeal Decision

Site visit made on 17 January 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 February 2025

Appeal Ref: APP/L5810/Z/24/3357060

16-26 Sheen Lane, Mortlake SW14 8LW

- 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 Wildstone Estates Limited against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref is 24/2178/ADV.
 - The advertisement proposed is the erection of a small format advertising digital advertising display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
3. The National Planning Policy Framework (the Framework) was revised on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

4. The main issues are the effect of the proposed advertisement on visual amenity and whether it would preserve or enhance the character or appearance of the Sheen Lane (Mortlake) Conservation Area (CA).

Reasons

5. The appeal site is a petrol filling station which includes a retail unit, a large canopy structure, petrol pumps, an ATM structure, parcel pick-up lockers and a plethora of signage including a double-sided totem-style display next to the road. The site is situated in a section of Sheen Lane that comprises late 19th and early 20th parades of small shops, cafes and restaurants which make a clear positive contribution to the character and appearance of the CA. The petrol station is an anomaly in this setting and detracts from the Area's character and appearance.

6. The proposal would comprise the installation of a free-standing small format advertising display adjacent to the flank wall of 28 Sheen Lane and in between the parcel pick-up lockers and the pavement. The structure would be about 2.4m in height by 1.23m in width. It would house an LCD digital display measuring about 1.65m by 0.93m which would exhibit static advertisements on rotation. It would replace a relatively small advertisement display board attached to the wall, the planning status of which is not clear from the information before me.
7. The petrol filling station and in particular its associated signage and advertising displays detract from the character and appearance of the street scene and the CA. With the exception of the removal of the aforementioned wall-mounted advertisement display, there is nothing before me to indicate that the proposal would result in the removal of any of the many existing advertisement displays within the curtilage of the filling station, and there is no mechanism before me to secure this. As such the proposal would lead to a proliferation of clutter and, due to its siting close to the pavement and use of a digital display, it would be a highly conspicuous and incongruous element in views looking south along Sheen Lane.
8. For these reasons I conclude that the proposed advertisement would fail to preserve the character and appearance of the CA and would have an unacceptable effect on visual amenity. I have taken into account the policies cited by the Council in its reason for refusal which are material to this case. Given my conclusions above, it follows that the proposal conflicts with these policies.

Other Matters

9. The appellant has referred to various environmental, social and economic benefits that may arise from the installation of the proposed advertisement, including the possible provision of an on-street public communications service. However, the Regulations stipulate that advertisements are subject to control only in the interests of amenity and public safety, and therefore the benefits referred to cannot be taken into account. Accordingly, I attach minimal weight to these matters.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR