
Appeal Decision

Site visit made on 20 February 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/L5810/Z/24/3353064

Palace Service Station, Hampton Court Road, East Molesey, KT8 9BW

- 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 Wildstone Estates Limited against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Reference is 24/1942/ADV.
 - The proposal is the erection of freestanding static internally illuminated advertisement display board on edge of garage forecourt.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on visual amenity.

Reasons

3. The Council refers to development plan policy. The Regulations require that decisions be made only in interests of amenity and public safety. Therefore, development plan policy alone cannot be decisive, but I have taken it into account as a material consideration. I should make it clear that I agree with the Council, for the reasons it gives, that public safety is not at issue here.
 4. The site is a modern style Petrol Filling Station (PFS) which includes a retail unit, car wash, gas storage cage, ATM, large canopy, petrol pumps on the forecourt and various commercial signage including a double-sided totem-style display. The premises are on the south west side of Hampton Court Road which on this stretch comprises primarily residential properties of generally very pleasing appearance and has Hampton Court Green and associated parking on the other side. The wider scene has an historic ambience and is almost semi-rural in flavour.
 5. The PFS is within the Hampton Court Green Conservation Area.
 6. The proposal is for an advertisement display towards the front of the PFS site which would have the same dimensions as a standard 6-sheet hoarding, 1.23m(w) x 2.4m(h) x 0.22m (d). The bottom of the display would be located 0.41m above ground level. Using LCD digital technology, the quality of the image produced would mimic that of a traditional paper and paste display and
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would be capable of displaying 6 advertising campaigns at a time, sequencing every ten seconds. The intention is that the advertisements will be local and national campaigns as well as goods and services sold on site.

Amenity

7. Given the setting and scene which I briefly describe above it is fair to say that the PFS, whilst certainly offering a valued service, both functionally and physically can be viewed as an anomaly. In my opinion it does visually detract from the locality. In this context I would assess that it is reasonable to take a stance that aesthetic demerits are not further exacerbated. Regrettably I feel that would be the impact with the appeal proposal. Its prominence would draw additional attention to the site. The display board itself would be jarring on the eye by its stance in a close-to-the-highway space which is presently open, being of a nature which would be markedly modern rather than traditional, and being overly urban in this unusual and attractive context.
8. Against the area's local character, I would not support what would appear a less than low-key format in this prominent position. Even with restricted and variable luminance and limited light spread and the technical case put forward by the Appellant, it would undoubtedly be an eye-catching changing display to people passing and within the area generally, during the day and more so in hours of darkness.
9. I take the Appellant's point about the car park opposite, and its inherent degree of commercialisation, but nevertheless the use is in a small part of the wider context and its associated signage is relatively low-key. The generally restrained nature of signs and advertisements locally on other local business premises, such as they are, is almost without exception of traditional and/or subtle nature.
10. The visual qualities of the area would diminish with an additional incongruous and obtrusive display feature which would be relatively forward and bold in the streetscene and would simply not be suited in these environs. The character or appearance of the Conservation Area could not be said to be preserved in my opinion.
11. In summary, the scheme would result in a negative impact on amenity

Other matters

12. I have considered both the National Planning Policy Framework and Planning Practice Guidance advice on advertisements and the factors embodied in these documents on matters such as economic and business encouragement. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described.
13. I have carefully considered examples of the illuminated displays cited by the Appellant which have been granted permission elsewhere. However, I conclude, due to their location, form or context, that they are not directly comparable. I see no precedents and, in any event, I have to assess the case before me on its merits.

14.I appreciate the ability to control illumination levels and output via planning conditions as suggested by the Appellant. The points made over sustainability in all its senses over the sign and its remote operation with reduction of travel are noted. These along with factors such as possible community announcements, rationalisation of advertisement elsewhere on the site, and waste reduction all have some credence and I give them limited weight.

15.I have carefully considered these and all the other points raised by the Appellant. However, these matters do not outweigh the concerns which I have in respect of the main issue identified above.

Overall conclusion

16.For the reasons given above I conclude that the proposal would be unduly detrimental to amenity. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR