
Appeal Decision

Site visit made on 23 April 2025

by **D J Barnes MBA BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 May 2025

Appeal Ref: APP/G5180/Z/25/3362461
4-5 Market Square, Bromley BR1 1NA

- 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 Lemon Pepper Holdings Limited against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/04446/ADV.
 - The advertisements are 1 No. fascia sign and 1 No. projecting sign..
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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 terms of amenity and public safety. Although the Council has referred to the development plan policies which it considers relevant to this appeal they cannot, by themselves, be decisive but they are a material consideration in the determination of this appeal.
3. There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. In advertisement appeals this is only relevant in so far as it relates to amenity. Where relevant, the statutory duties for designated heritage assets are echoed in Policy 41 of the Bromley Local Plan (BLP).

Main Issue

4. It is considered that the main issue is the effect of the advertisements on visual amenity.

Reasons

5. The advertisements which have been erected on the front elevation of a 3-storey Victorian building are illuminated fascia and projecting signs. The council has identified that the appeal property is a locally listed building (i.e. a non-designated heritage asset) albeit there is no detailed evidence to explain its heritage significance other than its age. However, the building is of a simple design, character and appearance with a contemporary shop front at ground floor level with rendered walls and sash windows above.

6. The property is situated within the Bromley Town Centre Conservation Area which has both historical and architectural significance associated with Bromley's previous market town status and being the borough's main retail and commercial centre. Being a retail and commercial centre, the Conservation Area includes a range of differently designed advertisements and other signs associated with the various commercial businesses.
7. Within the Conservation Area there are a range of building ages, types and designs with the Market Square being characterised by mainly 2 and 3 storey buildings enclosing the square within which there is a neo-Tudor building. The buildings fronting the square are in commercial use with shopfronts of varying styles and a range of different types and designs of signage, including illuminated and non illuminated fascia and projecting advertisements. The majority of these signs are modest in size, possess small individual letters and do not visually dominate the frontage of the host buildings
8. Reference has been made by the appellant to the previous advertisements erected at the property and also other signs within the surrounding area which were observed during the site visit. However, this appeal has been assessed based upon the advertisements which have been erected, particularly in circumstances where the host property is of a different design when compared to the building occupied by Five Guys and Next, and the previous fascia signs have a more modest appearance than the appeal scheme. The Betfred fascia sign was noted to be externally illuminated.
9. The projecting sign is of a scale and siting which is typical of other similar advertisements associated with other commercial buildings fronting Market Square. The fascia sign is appropriately sited above the contemporary display window and comprises individual letters which are backlit. However, because of its overall scale, colour and the size of the individual letters the fascia sign is a visually prominent and dominant advertisement which significantly detracts from the simple character and appearance of the host property. For the same reasons, this element of the appeal scheme also fails to preserve the character and appearance of the Conservation Area. There is a conflict with BLP Policy 41 whereby proposals should be sympathetic to the character, appearance and special interest of a locally listed building.
10. The Framework refers to situations where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The appellant has identified that it is increasingly difficult to secure occupiers for shops within local centres and the role of the high street is therefore declining. Further, the appellant claims that it is appropriate for occupiers of shops to be able to advertise their businesses through the erection of signs. However, there is no evidence concerning whether or not another business may or may not occupy the property if the appellant vacated. It is acknowledged that it is appropriate for businesses to advertise through the erection of signs but this does not mean every advertisement is appropriate for its context. Accordingly, these claimed public benefits do not outweigh the harm to the heritage significance of the Conservation Area.
11. For the reasons given, it is concluded that the advertisements cause unacceptable harm to visual amenity and they also conflict with BLP Policies 39, 41 and 102. In addition to considerations of the effects on the Conservation Area and the locally

listed building, these policies also refer to advertisements having regard to the character of the surrounding area and being in keeping with the scale, form and character of the host buildings. For the reasons given, it is concluded that the appeal should be dismissed.

D J Barnes

INSPECTOR