
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/24/3355560

45-47 High Street, West Wickham, Bromley BR4 0NP

- 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 Mr Ben Uden (Uden & Sons) against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/02713/SPLADV.
 - The advertisements proposed are high level adverts (signs 1, 4 and 7) – two externally illuminated and 1 non-illuminated.
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Decision

1. The appeal is dismissed for the display of two externally illuminated signs (Signs 1 and 4).
2. The appeal is allowed in so far as it relates to 1 non-illuminated advert (Sign 7) at 45-47 High Street, West Wickham, Bromley BR4 0NP in accordance with the terms of the application, Ref DC/24/02713/SPLADV and express consent is granted for its display. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional condition:
 - 1) The advertisement hereby permitted shall not be carried out other than in complete accordance with the approved plans so far as they are relevant to Sign 7: AWA/1210/01; AWA/1210/03 and Drawing No. 1 identifying the details of Sign 7.

Procedural Matters

3. The description of development is taken from the council's Decision Notice because the appeal application resulted in a spilt decision.
4. The revised National Planning Policy Framework was published in December 2024 but does not raise any new matters which affect the assessment of this appeal scheme.
5. 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.

Main Issue

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

Reasons

7. The proposed advertisements comprise 2 high level signs externally illuminated by strip lights (Signs 1 and 4) and a non-illuminated sign (Sign 7). These advertisements would be erected on the side elevation of a Victorian building situated within a frontage of properties with commercial uses at ground floor level. Other advertisements for the property at ground floor level have been approved by the council and have been erected by the appellant on the front elevation.
8. The property is a notable building within the streetscene because it projects forward of the adjacent properties. The property is erected in a notable Baroque style, featuring a projecting portico with fluted pilasters, an entablature and a scrolled pediment. The council has identified that the property is a non-designated heritage asset.
9. Within the vicinity of the property, there are a range of fascia and projecting signs, both illuminated and non-illuminated, associated with the other commercial premises. The style and siting of the advertisements approved by the council echo the signage at these properties. Other than a Lidl supermarket sign erected on a modern building some distance from the appeal property, no high level signs were observed during the site visit.
10. The appellant has identified that the proposed Signs 1 and 4 would be sited in locations where there is evidence of previous historic signage which has been painted over. What these “ghost signs” might have been is not explained, including whether they might have been illuminated. Accordingly, the effect on amenity associated with Signs 1 and 4 has been assessed on their own circumstances.
11. By reason of their high level siting and illumination, Signs 1 and 4 would be an incongruous addition to the property which would significantly detract from the heritage significance of this non-designated asset. Although there would not be a conflict with the light pollution criteria of Policy 122 of the Bromley Local Plan (BLP), the illumination of these proposed advertisements would be unlikely to replicate the circumstances of the original “ghost signs”. Although non illuminated, the close relationship between Sign 4 and Sign 7 would result in an extensive part of the property’s flank wall visible within the streetscene being dominated by these advertisements. This unacceptable harm would be accentuated by the total number of advertisements which could be erected at the property if this appeal succeeded.
12. The combined extent of the 3 proposed advertisements would also detract from the heritage significance of this non-designated asset and its positive contribution to the streetscene along High Street. There would be a conflict with BLP Policy 102 which refers 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.
13. The appellant has invited consideration of a split decision enabling consent to be granted for just Sign 7. By reason of the 3 signs being individual advertisements which are not physically linked, a split decision can be considered in this case.

14. Sign 7 would be non-illuminated and erected approximately halfway between the ground and roof levels of a flank wall. The sign would be visible along High Street against the context of the property's flank wall and would not be seen as part of the approved signage now erected on the property's front elevation. Although partially erected above the ground floor level, the siting, size and choice of materials for Sign 7 would not be visually obtrusive within the context of the commercial character and appearance of the streetscene. Further, this proposed advertisement would neither unacceptably detract from the character and appearance of the property nor its heritage significance. The positive contribution of the property to the streetscene along High Street would be maintained.
15. For the reasons given, it is concluded that the appeal should be dismissed in respect of Signs 1 and 4 because they would cause unacceptable harm to visual amenity and they would also conflict with BLP Policies 37, 39 and 102. In addition to consideration of the effects of development on non-designated heritage assets and advertisements reflecting the character of the host property and the surrounding area, these policies require schemes to be of high standard of design and positively contribute to the streetscene.
16. It is further concluded that the appeal for Sign 7 should be allowed because it would not cause unacceptable harm to visual amenity and it would not conflict with BLP Policies 37, 39 and 102.

D J Barnes

INSPECTOR