

Appeal Decision

Site visit made on 14 September 2020 by Andreea Spataru BA (Hons) MA

Decision by Susan Ashworth BA (Hons) BPI MRTPI

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

Decision date: 25 November 2020

Appeal Ref: APP/R5510/Z/20/3253339

178-182 High Street, Ruislip HA4 8LJ

- 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 Manor Developments (Ruislip) Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 28388/ADV/2020/35, dated 16 March 2020, was refused by notice dated 11 May 2020.
 - The advertisement proposed is described as "proposed illumination of 1 existing advertisement sign at 178-182 High Street, Ruislip".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary matter

3. The Council has drawn my attention to the policies it considers relevant to this appeal and I have taken them into account as a material consideration where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance reiterates this approach. Therefore, in my determination of this appeal, the Council's policies have not, in themselves, been decisive.

Main Issue

4. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

5. The appeal site relates to a three storey, end of terrace building located at the junction of High Street with Kingsend, within the Ruislip Village Conservation Area (CA). The part of the CA that includes High Street is the commercial centre of the area. It has the appearance of a busy and traditional high street and there is a variety of commercial advertisements.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

6. I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
7. The existing, non-illuminated advertisement sign was granted advertisement consent in June 2019². The proposal seeks to internally illuminate the sign. Given that the scale and design of the sign in this location have been previously found acceptable, the matter of dispute is whether the illumination of the sign would have a detrimental effect on the visual amenity of the area.
8. Most of the existing illuminated commercial advertisements face High Street. The residential streets to the rear of High Street, including Kingsend, that intersect with High Street have little to no illuminated advertisements. The lack of prominent advertisements on the residential streets contrasts with the vibrancy of High Street, thus contributing to the visual quality and to the character of the CA.
9. The existing sign is located above the ground floor windows, on the rear wall of the appeal building that fronts High Street, and is facing Princess Lane. Due to its elevated position, close to the corner of the building, it is visible on Kingsend when approaching the junction with High Street. The proposed illumination would make the sign stand out, during both day and night, constituting visual intrusion.
10. The appellant has drawn my attention to illuminated signs within proximity of the site. Most of the examples provided face High Street and/or are located at ground floor level, thus they are not directly comparable with the proposal. The "Wimpy" sign located to the side of the appeal site, on the rear elevation of a building that faces High Street, is also not directly comparable with the appeal proposal, as it is not as prominent within the street scene of Kingsend. Moreover, the planning officer report indicates that there is no recent planning history in relation to this sign and that it was installed prior to the inclusion of the buildings within the CA. Therefore, I am unconvinced on the basis of all I have seen and read that illuminated advertisements are an accepted feature within the street scenes of residential streets located within the CA. Moreover, this appeal has been dealt with on its own merits.
11. For the above reasons I find that the illumination of the advertisement, in this location, would appear intrusive and discordant, and thereby be detrimental to visual amenity, and would fail to preserve or enhance the character or appearance of the CA.

Other matter

12. I have noted the Council's concern regarding the effect of the proposal on the living conditions of the occupiers of neighbouring properties in terms of light pollution. However, the Planning Practice Guidance advises that 'amenity', in the context of the control of advertisements, includes aural and visual amenity but does not extend to considerations relating to living conditions. Given the powers to control advertisements set out in the Regulations as described above, this matter is not therefore determinative in my consideration of the appeal.

² Appeal ref: APP/R5510/Z/19/3226105

Recommendation

13. For the reasons given above and having regard to all other matters raised, including the previous appeal decision, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR