



# Appeal Decision

Site visit made on 3 February 2010

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

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

Decision date:  
12 February 2010

## Appeal Ref: APP/Q5300/H/09/2118495

### Wolden Garden Centre, Cattlegate Road, Crews Hill, Enfield, Middlesex EN2 9DW

- 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 Mr Steven Gudgeon for Wolden Garden Centre Limited, against the decision of the London Borough of Enfield Council.
- The application, Ref AD/09/0075, dated 7 August 2009, was refused by notice dated 21 October 2009.
- The proposal is for the display of six double-sided, post-mounted, projecting hanging signs.

#### Decision

1. I dismiss the appeal.

#### Main issue

2. The main issue, on amenity grounds only, is the impact including the cumulative impact of the proposed signs on the character and appearance of the site and its surroundings.

#### Reasons

3. The premises identified on site as Wolden Nurseries and Garden Centre are on the southern side of Cattlegate Road. They are within the Metropolitan Green Belt and an approved Area of Special Control of Advertisements where more stringent controls operate in order to protect the character and appearance of the area. Other garden centres and commercial plant nurseries are located nearby. Although not within unspoilt countryside, the nature of the uses encourages a generally open feel to this part of Crews Hill.
4. As applied for, each double-sided board measuring 0.92m by 0.62m would be presented with vertical emphasis on a single post at an overall height of 2.24m. The boards are shown covered up in the submitted photographs but at the time of my visit, four similar pole-mounted, double-sided boards incorporating pictorial and promotional elements were displayed on the frontage. The garden centre is mainly denoted by large freestanding boards in V-format on the frontage and a bold name sign on the gable-end at the front of the building.
5. The six appeal signs would be ranged along the roadside frontage of the garden centre, with two to the west and four to the east of the vehicular entrance. Although regularly spaced, all of the boards would be readily visible together on approach from the west or in passing along Cattlegate Road from the east.

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6. I consider that, taken together and particularly when seen in association with the large freestanding V-board and the bold name sign on the building, the appeal signs, because of their size, number and exposed siting would create an impression of outdoor advertising clutter and excess on the frontage. The impression of roadside clutter would be exacerbated because while the posts would be set into the ground within the site, the support brackets and the boards themselves would overhang the boundary fence. I further consider for the same reasons that the display of the six projecting hanging signs would spoil the amenity benefit of shrubs and other attractive planting along the frontage of the garden centre.
7. It is mentioned in support of the appeal that, particularly in the present economic climate, the Appellant needs the projecting hanging signs to promote his business and products. I acknowledge that, in appropriate circumstances, outdoor advertising can play an important part in denoting commercial outlets and attracting trade. However, the Regulations generally require decisions to be made only in the interests of amenity and, where applicable, public safety. Therefore it is these factors, rather than commercial need or advantage that must be decisive for present purposes.
8. The Appellant comments on the possible application of the 'deemed consent' provisions of the Regulations to the display of freestanding signs on the frontage. I have taken into account in particular his comments about the longstanding display of board signs on the frontage, without challenge and apparently without recorded complaint. However it should be remembered that, even where a 'deemed consent' is established, this does not confer an absolute right to display advertisements. Apart from its powers to take enforcement action against unauthorised displays, the Council has the power to take 'discontinuance action' at any time to remedy the uncontrolled use of a site or the display of particular advertisements with deemed consent which it judges to be against the interests of public safety and/or substantially detrimental to the interests of amenity.
9. Since the present case arises from a valid application for 'express consent', I have determined the appeal on that basis. I conclude for the reasons set out above that the display of the six projecting hanging signs would be detrimental to the interests of amenity and wholly inappropriate in an area where special advertisement control applies. I have considered all other matters raised but there is nothing of sufficient weight to alter my decision that the appeal must fail.

*Malcolm Rowe*

Inspector