
Appeal Decision

Site visit made on 23 September 2016

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 26 September 2016

Appeal Ref: APP/T3725/Z/16/3153700

Ardencote, Lye Green Road, Claverdon, Warwick CV35 8LT

- 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 Dale Huckerby against the decision of Warwick District Council.
 - The application Ref W/16/0476 was refused by notice dated 9 May 2016.
 - The advertisement proposed is the erection of structure to display advertisement banner within hotel boundary.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed advertisement is in place and is broadly in the position shown on the submitted plans.

Main issue

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

Reasons

4. The advertisement is a non-illuminated canvas banner displayed on a light metal frame that stands within the extensive grounds of a hotel and golf course in the countryside, which is designated Green Belt. The banner occupies a prominent position facing the road, some distance from the main hotel, so that its content is primarily seen by those approaching the site from the northeast.
5. When view from this general direction, the advertisement is significant in size and, save for two low-level road signs, appears to stand-alone on open land, projecting well above the adjacent roadside hedgerow. In that context, the advertisement is a highly conspicuous feature that appears incongruous and obtrusive in its open rural setting. As a result, the advertisement is seriously harmful to the visual amenity of the local area.
6. Being noticeable in the local street scene to which the advertisement belongs obviously reflects its main purposes, which is to draw the eye of people passing by and to inform them of the golf course at the hotel in good time before the main entrance to the venue is reached. In that regard, I have little doubt that the banner is an effective way to encourage additional visitors and custom. However, an appropriate balance needs to be struck between allowing

businesses to engage with and inform others and safeguarding the character and appearance of the countryside. While there may be a plethora of signage elsewhere in the District, as the appellant suggests, along both sides of the road in the vicinity of the site, there are very few advertisements and so the banner gives the very strong impression of visual clutter in the countryside.

7. The National Planning Policy Framework states that poorly placed advertisements can have a negative impact on the appearance of the environment. That would be the case with the advertisement before me.
8. The appellant states that an application for a similar advertising consent was granted on appeal in 1998. However, few details of this approval have been provided and so I cannot be certain that the circumstances in that case are similar to the advertisement before me. In any event, each case should be assessed on its own merits, as I have done in this instance.
9. Reference is made to policies within the Warwick District Local Plan 1996-2011 to which I have had regard as relevant considerations. Powers under the Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. In my determination of the appeal, the Council's policies have not therefore by themselves been decisive.
10. Interested parties additionally consider that the advertisement is a distraction to passing traffic and harmful to road safety. However, both the Highway Authority and the Council raise no objection to the advertisement on highway safety grounds. On the evidence before me, I have reason to disagree with that finding. I also agree with the appellant that the sign has no discernable effect on the occupiers of nearby properties.
11. Nevertheless, for the reasons given above I conclude that the display of the advertisement is detrimental to the interests of amenity and that the appeal should therefore be dismissed.

Gary Deane

INSPECTOR