The Planning Inspectorate

# Appeal Decision

Site visit made on 30 January 2017

**by C Jack BSc(Hons) MA MA(TP) MRTPI**

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

**Decision date: 14 February 2017**

**Appeal Ref: APP/Y3615/Z/16/3162111**
**5 Europa Park Road, Guildford GU1 1AJ**

- 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 Costa against the decision of Guildford Borough Council.
- The application Ref 16/P/01750, dated 19 August 2016, was refused by notice dated 28 September 2016.
- The advertisement proposed is 2 x fascia signs.

## Decision

1. The appeal is allowed and express consent is granted for the display of the 2 x fascia signs as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

## Preliminary Matters

2. The site is currently occupied by a fast food restaurant. The Council has granted planning permission to redevelop the site with a modern building comprising three café/restaurant units. This permission has not yet been implemented however, the appellant proposes to occupy unit 5B of the approved scheme once it is completed. Advertisement consent has previously been granted by the Council for two signs at the front of the appeal unit, but refused for proposed side and rear fascia signs. The Council states that the appeal proposal is very similar to the side and rear signs previously refused.

## Main Issue

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

## Reasons

4. The site currently consists of an existing standalone Burger King unit. Several advertisements are displayed upon the existing building, including illuminated advertisements. The site lies close to the entrance to Ladymead Retail Park, a typical out-of-centre retail park including various national bulky goods and high street retailers and large car parking areas. The site is clearly visible from the main A25, as well as Europa Park Road and from the car parking areas. The surrounding area is generally characterised by other similar large retail and car sales units.

5. It is proposed to display a fascia sign on the rear of unit 5B facing Europa Park Road, and a further sign of very similar details and proportions on the side of the approved building facing towards the A25. These would be in addition to the two

front signs previously granted consent, which would face a car parking area. The signs would have a grey background, with white, internally illuminated, lettering outlined in red.

6. The signs would be generally in keeping in terms of colour, proportions, materials and typeface with the varied range of others currently displayed at the retail park, and on other units nearby. The signs would simply state the name of the business that would occupy the unit. Furthermore, the illumination is proposed to be static and the signs would be proportionate to the scale, character and style of the building they would be sited upon. Illumination of this nature is not uncommon in the vicinity. In these respects the signs would not be at odds with the local area and would not harm visual amenity.

7. I note the Council's concerns that signs on the side and rear, as well as the front of the building, would amount to a proliferation and a cluttering effect. However, I have found that the proposed signs would not detract from local visual amenity and as a result their presence on the side and rear of the building does not in itself justify refusal. Furthermore, I note that the existing building has signage facing the A25 and Europa Park Road, and that some other units on the retail park have signs on the side or rear, albeit these may not be illuminated. However the 'rear' of the approved building would be in a central public-facing location within the retail park, which is not the case with the rear of many other units nearby. I consider that that the proposed side and rear signs would not be out of keeping in that position.

8. Furthermore, the planning history does not indicate any applications for advertisement consent for signs in relation to the approved building, other than those made by the appellant. One sign on the rear of the building and one on one side would not therefore amount to a cluttering effect on those elevations or a proliferation of signs on the building as a whole, even when considered with the two advertisements consented for the front elevation.

9. I therefore conclude that the proposal would not have a visually cluttering effect on the building and would respect the general characteristics of the locality, including the retail park. It would therefore not have a detrimental impact on the site and surroundings and the visual amenity of the area would not be harmed.

10. The five standard conditions for advertisements will apply. No additional conditions have been suggested and I do not consider that any are necessary.

**Conclusion**

11. The Council has drawn my attention to saved Policy G8 of the Guildford Borough Local Plan 2003 and its Supplementary Planning Guidance 'Design Guidelines for Advertisements and Signs' 2004, which it considers relevant to this appeal and I have taken them into account where material. Given that I have concluded there would be no harm to visual amenity, the proposal would not conflict with this policy and guidance.

12. For the reasons given above, I conclude that the appeal should be allowed.

*Catherine Jack*

INSPECTOR