

Appeal Decision

Site visit made on 28 February 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 16 March 2017

Appeal Ref: APP/W3710/Z/16/3159574

The wall in front of the Scout Hut, Bond Street, Nuneaton

- 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 QT Homes Lettings Ltd against the decision of Nuneaton & Bedworth Borough Council.
 - The application Ref 034276, dated 27 July 2016, was refused by a notice dated 21 September 2016.
 - The advertisement proposed is a fascia advertising sign measuring 1m high by 2.2m wide, with company name and telephone number.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. It was clear from my site visit that the sign has been erected and I have therefore determined the appeal on the basis that the advertisement is already in place.

Main Issues

3. The main issues in this case are the effect on the amenity of the area and public safety.

Reasons

Amenity

4. The appeal site lies within a mixed commercial area which is close to the railway station and a retail park. The host wall adjoins the highway (A444) and encloses the site of Nuneaton Scout Hut. The wall also adjoins the commercial property from where the appellant company and other small businesses operate. There are a number of proportionate signs displayed on this property at shop front fascia level which advertise the businesses which operate within it.
 5. The host wall is approximately 1.5m in height and has a relatively short span. The sign, by reason of its size is therefore a dominant feature on it. Furthermore, it is displayed at street level, and in a location unrelated to the commercial premises it advertises. Visually the sign contrasts sharply with the character of the area where the signage displayed is generally attached to the premises it is advertising and is proportionate in size to the scale of the
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building upon which it is displayed. Consequently the sign appears as an incongruous addition to the street scene and detracts from the character and appearance of the locality.

6. I have considered the appellant's desire to promote their business, however I noted on my site visit that their premises are currently displaying a sign advertising their business at fascia level on the front of the property. I therefore give this argument limited weight. I accept that there are a number of larger signs attached to premises located nearby; however in general those signs advertise the business premises upon which they are displayed. Moreover, and in contrast to this appeal case, those signs are more proportionate in size to the scale of the buildings they are attached to.
7. I therefore conclude that the appeal proposal harms amenity. Policy ENV14 of the Nuneaton & Bedworth Borough Local Plan, 2006 seeks to protect the character of the locality and so is material in this case. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with this policy and with paragraph 67 of the National Planning Policy Framework (the Framework) which recognises that poorly placed advertisement such as this one, can have a negative impact on the appearance of the built environment.

Public Safety

8. The sign is positioned adjacent to a signalised pedestrian crossing on the busy A444 which links the town with the railway station. Although there are a number of other signs in the locality, the position of this sign at street level and adjacent to the pedestrian crossing make it particularly eye catching. Furthermore, its visual prominence is enhanced by its size, stark white background and imposing text.
9. The sign in this location draws the eye of both pedestrians and drivers of vehicles waiting at, approaching and using the crossing. Consequently those highway users are unlikely to be giving their full attention to highway activity which would not be in the best interests of public safety. Given the position of the host wall in such close proximity to the pedestrian crossing, any slight repositioning of the sign upon it, as suggested by the appellant, would not in my view overcome the harm I have identified.
10. I therefore conclude that the sign would have a harmful effect on public safety.

Conclusion

11. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR