

Appeal Decision

Site visit made on 12 April 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 25th April 2017

Appeal Ref: APP/C1950/Z/17/3169277

61 Bridge Road East, Welwyn Garden City AL7 1JR

- 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 Mrs Kelly Ballard against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2016/2442/ADV, dated 17 November 2016, was refused by notice dated 27 January 2017.
 - The advertisement proposed is a billboard attached to the back of a vehicle.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations and the National Planning Policy Framework make it clear that advertisements should be the subject of control only in the interests of amenity and public safety. No issues of public safety have been raised by the Council.
3. Whilst the Council has referred to the policies which it considers relevant to this appeal they cannot, by themselves, be decisive but are material considerations to the determination of this appeal.
4. The advertisement subject of this appeal has previously been displayed but this is no longer the case. Accordingly, and although it was displayed for the purposes of my site visit, the appeal scheme is referred to as a proposed advertisement in this decision.
5. The address of the appeal site and the description of the proposed advertisement are adopted from the application form.

Main Issue

6. It is considered that the main issue is the effect of the proposed advertisement on the interests of amenity.

Reasons

7. The proposed advertisement comprises an 'A board' with 2 signs mounted on the rear of, what the appellant describes as, a vintage vehicle which would be parked at the junction of Bridge Road East and a private road serving commercial properties. Within the rear commercial property is the appellant's gym business which is claimed to be hard to see from Bridge Road East because it is around 200 metres from the junction. However, the proposed

advertisement would not contain any specific directional information about the location of the gym.

8. The area within which the advertisement would be located is predominantly commercial, including a large DIY store, car showroom, offices and industrial buildings. As noted by the Council, the signs for these commercial buildings are erected on either their elevations or within their curtilages. These predominantly permanently erected advertisements visually relate to their host properties rather than being isolated from them.
9. The mounting of the proposed advertisement on the rear of a vehicle would fail to reflect the character of other permanent signs along Bridge Road East. By reason of its siting at the junction and its display on the rear of a vehicle, the proposed advertisement would be both isolated from the property within which the appellant's gym is located and appear an incongruous addition to the streetscene.
10. For the reasons given, it is concluded the proposed advertisement would be unacceptably detrimental to the interests of amenity. Account has been taken of Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 (LP) and the Supplementary Design Guidance and, given it has been concluded that the proposed sign harm amenity, the appeal scheme conflicts with these policies. LP Policy GBSP2 does not appear to have any specific relevance for consideration of amenity matters associated with advertisements.
11. The appellant's reference to the mobile hot food van parked within the DIY store's car park does not alter the assessment of the proposed advertisement's detrimental effect on the interests of amenity. Unlike the appeal scheme, the primary purpose of this van is not the display of advertisements.
12. The claims of the appellant concerning high business rates and supporting local businesses have been noted but they do not alter the assessment of the appeal scheme against the requirements of the Regulations. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR