
Appeal Decision

Site visit made on 10 July 2017

by Robert Parker BSc (Hons) Dip TP MRTPI

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

Decision date: 25 July 2017

Appeal Ref: APP/D0121/Z/17/3173697

12 Clevedon Road, Nailsea BS48 1EH

- 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 Dr David Houston of Houston Group Dental Practice against the decision of North Somerset Council.
 - The application Ref 17/P/0398/ADV, dated 8 February 2017, was refused by notice dated 5 April 2017.
 - The advertisement proposed is two non-illuminated floor mounted totem pole signs 1835mm high x 635mm wide either side of the site located adjacent to the road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed advertisements on the character and appearance of the area and their effect on highway safety.

Reasons

3. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
 4. The appeal site comprises a dental surgery within a former bungalow fronting onto the main road linking Nailsea to Clevedon. The premises lie diagonally opposite a public car park but the surrounding area is primarily residential. The front gardens of the properties adjoining the site are enclosed by low walls and greenery, reflecting the modest residential character of the environs.
 5. The surgery already has two advertisements to announce its presence, a sign board on the façade of the building and a large freestanding double sided panel sign at the car park entrance onto Heathfield Road. The panel sign is clearly visible when approaching the site from either direction along Clevedon Road. However, because of its position set back into the site the sign is not particularly intrusive, despite its reasonable size.
 6. The proposed totem signs would be sited much closer to the main road, within a narrow grass verge adjacent to the back edge of the footway. Each sign would measure 1835 mm high by 635 mm wide. With the exception of the existing signage described above, there is very little in the way of advertising in
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the street scene of Clevedon Road. Given this restrained context, the proposed totem structures would stand out as unduly prominent and incongruous features due to their height, solidity and proximity to the road. Furthermore, when taken in combination with the current signage, the proposal would result in excessive visual clutter. I therefore find that the new signs would materially detract from the character and appearance of the area.

7. Neither party has provided any detailed technical evidence in relation to highway safety issues. Nevertheless, based on my observations I share the Council's concern that the signs would be likely to interfere with visibility for road users exiting Heathfield Road by restricting views of vehicles approaching from the Clevedon direction. Drivers leaving the dental surgery's car park would also be adversely affected as the signs would obstruct views of left turning vehicles into Heathfield Road. As a result, the proposal would create an unacceptable highway safety risk.
8. The appellant argues that the totem signs would reduce the potential for unsafe manoeuvres by giving customers early warning of the location of the premises. However, this benefit would be outweighed by the harm to public safety arising from more restricted visibility for road users, and the detrimental impacts to amenity identified above.
9. The Council has drawn my attention to Policies CS10 and CS12 of the North Somerset Core Strategy (2017) and Policies DM24 and DM32 of the North Somerset Development Management Policies Sites and Policies Plan Part 1 (2016). Whilst I have taken these policies into account as a material consideration, the powers to control advertisements under the regulations may be exercised only in the interests of amenity and public safety. These are the matters which must be determinative.

Conclusion

10. I note that the appellant has expressed a willingness to modify the signs but I must deal with the appeal as submitted and, for the reasons above, I consider that the advertisements would be materially detrimental to amenity and public safety. Having taken account of all other matters raised, I find nothing to alter my conclusion that the appeal should fail.

Robert Parker

INSPECTOR