
Appeal Decision

Site visit made on 11 July 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 16th August 2017

Appeal Ref: APP/X1545/Z/17/3171512

Stock Chase, Heybridge, Maldon, Essex CM9 4AA

- 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 Simon Houlding of Simon Houlding Upholstery Ltd against the decision of Maldon District Council.
 - The undated application Ref ADV/MAL/16/01066 was refused by notice dated 16 January 2017.
 - The advertisement proposed is company logo with direction to workshop & showroom.
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Decision

1. The appeal is allowed and express consent is granted for the display of the company logo with direction to workshop & showroom 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.

Procedural Matters

2. The advertisement has already been installed on the building, so I have treated this appeal as a retrospective application.
3. The address of the appeal site has been taken from the original application form rather than the decision notice and appeal form. While the advertisement appears to be attached to Unit 4 at the Home Farm Industrial Estate, it faces onto a road known as Stock Chase. I therefore consider the address on the original application form to be adequate.
4. I have not been able to identify the date the application was made. The application form has the date of 5 January 2017, but it would appear that consultations were already underway at this date. In the absence of any clear date, I have referred to the application as undated.
5. On 21 July 2017, the Secretary of State approved the Maldon District Local Development Plan 2014-2029 (LDP) subject to a number of main modifications. I have had regard to the information provided by the Council on this matter, which includes the main modifications to Policies D3 and D6 of the LDP and confirms that Policies BE9 and BE10 of the Maldon District Replacement Local Plan have been superseded by Policy D6 of the LDP.

Main Issue

6. The main issue is the effect of the advertisement on the character and appearance of the area.

Reasons

7. Stock Chase lies on the edge of an industrial and commercial area in Heybridge and leads to the appellant's workshop and showroom at the end of the road. A long single storey building that contains a number of units associated with the Home Farm Industrial Estate occupies much of the south-western side of Stock Chase. The building has a simple barn-like design and appearance with roughcast walls painted white along much of Stock Chase. It presents a largely blank façade onto Stock Chase with the exception of the advertisement subject to this appeal and a sign for an electrical wholesaler based at the industrial estate.
8. The appeal advertisement is sited neatly beneath the electrical wholesaler sign at the eastern end of the building. The advertisement is not overly large or poorly designed, while the colour and lettering is inoffensive and coherent. As such, it does not detract from the largely blank façade of the building or the character and appearance of the area. Stock Chase is a short road and so the distance from the advertisement to the workshop and showroom does not result in a remote relationship or harmful effect.
9. As paragraph 67 of the National Planning Policy Framework (NPPF) makes clear, advertisements are subject to control only in the interests of amenity and public safety. There is no requirement to demonstrate a need for the advertisement or to justify its economic benefits as both main parties have sought to do.
10. In conclusion, the advertisement has an acceptable effect on the character and appearance of the area and would be acceptable in terms of amenity and public safety. Therefore, it adheres to paragraph 67 of the NPPF which seeks to avoid poorly placed advertisements that have a negative impact on the appearance of the built environment.
11. In coming to my conclusion, I have taken into account Policies D3 and D6 of the approved LDP. Policy D6 seeks well-designed advertisements that do not detract from the area and building in which they are sited and are not remote from the site being advertised. Given that I have found that the advertisement does not harm amenity or public safety, there is no conflict with this policy. Policy D3 relates to the conservation of heritage assets, but I have not been made aware of any heritage assets affected by the advertisement. Therefore, this policy is not relevant.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR