



Appeal Decision

Site visit made on 29 August 2017

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 11 September 2017

Appeal Ref: APP/R0660/Z/17/3175082

Premier Motors, The Hill, Sandbach CW11 1JJ

- 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 Nick Bullock, Premier Cars Sandbach Ltd against the decision of Cheshire East Council.
 - The application Ref 17/0797C, dated 8 February 2017, was refused by notice dated 11 April 2017.
 - The advertisement proposed is a digital advertising screen mounted on painted vertical steel posts.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In accordance with the National Planning Policy Framework (the Framework) and the Regulations¹, my consideration of this appeal is confined to the issues of amenity and public safety, taking into account the provisions of the development plan, so far as they are material and any other relevant factors including cumulative impacts. I note the appellant's reference to the lack of harm to residential amenity but this is not a matter relevant to my determination of this appeal.

Main Issues

3. In light of the above, the main issues in this case are the effect of the advertisement on the visual amenity of the area and on public safety.

Reasons

Visual amenity

4. The proposal is for a digital advertising screen mounted on steel posts with an overall height of just over 3.2 metres and a width of approximately 3.5 metres. The screen would display coloured still images and messages which would change with a pre-set loop.
5. The sign would be located to the western site boundary of an existing motor vehicle sales company on the corner of The Hill and Old Mill Road in Sandbach. I observed on my site visit that this forms a busy road junction forming a crossroads of the A533 and the A534. It is wide and open with St Mary's Wood

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007

opposite the appeal site and a grassed highway verge to the north and east of the proposed sign. The Premier Cars building is set back from the road with the car sales area in the foreground which also contributes to the open character of the area. The parties agree that whilst the area is predominantly residential, as a result of the vegetation and openness, the area does not have an 'urban feel'.

6. The proposed sign as a result of its digital nature and illuminance would introduce an intrusive feature which would detract from the open and verdant character of the junction adversely affecting the visual amenity of the area. I accept that the appeal proposal would replace an existing sign mounted on a vehicle which has been in place for a number of years. However this sign is not illuminated and has a fixed image so that it has a lesser impact on the visual amenity of the area.
7. I acknowledge that the proposed sign would be positioned further back from the highway within the car sales site itself and would be smaller in size. However as a result of its illumination it would have a greater visual impact than the existing sign, particularly in the evenings.
8. Whilst no details of the signs illuminance have been provided, I acknowledge that the sign would have dimming sensors to reduce excessive glare. In any event I consider that even with such controls, bearing in mind the character of the area, the sign would have an adverse visual impact.
9. I therefore conclude that the appeal proposal would cause harm to the visual amenity of the area and would fail to comply with Saved Policy S14 of the Congleton Borough Local Plan First Review which seeks to prevent the display of advertisements where they would be detrimental to amenity. The appellant has commented that the Local Plan was drawn up 12 years ago and is time expired. However, I consider that this policy is consistent with the Framework, in particular paragraph 67 and should therefore be given significant weight in the determination of this appeal.

Highway safety

10. The Council have raised concern about the adverse impact of the proposal on highway safety, in particular that the sign would serve as a distraction to drivers at a busy signalised junction. However I have been provided with very little substantive evidence to support this assertion.
11. I acknowledge the Appellant's view that there are a number of similar digital signs at a range of locations, some with higher levels of traffic than Old Mill Road and these have been found to be acceptable in highway terms. In any event each site needs to be assessed on its individual merits.
12. In conclusion having regard to the evidence before me in this case, I am not persuaded that the proposal would cause harm to highway safety. In this regard the development would accord with Saved Policy S14 of the Local Plan.

Conclusion

13. Whilst I have found that the proposed sign would not cause harm to highway safety, I consider that it would have an adverse effect on visual amenity.

14. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenhull

INSPECTOR