
Appeal Decision

Site visit made on 14 November 2017

by R Norman BA (Hons) MA MRTPI

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

Decision date: 28th November 2017

Appeal Ref: APP/W1525/Z/17/3181428

Fenn Roundabout, South Woodham Ferrers, Chelmsford CM3 5QY

- 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 BP Oil UK Limited against the decision of Chelmsford City Council.
 - The application Ref 17/00843/ADV, dated 4 May 2017, was refused by notice dated 13 July 2017.
 - The advertisement proposed is 1 x Totem/MID sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement 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 Note

2. I note that the height of the proposed sign is shown as 5.25 metres and 5.5 metres on Drawing No 15222-28 Rev B, however elsewhere on Drawing No 15222-28-A3 Rev A, the application form and within the Appellant's statement the sign is identified as 5.5 metres in height. As the proposed height of 5.5 metres is consistent through all of the documents except drawing Rev B I have considered the appeal on this basis rather than the lower height.

Main Issue

3. The main issue is the effect of the sign on the visual amenity of the area.

Reasons

4. The appeal site is located to the north of the existing highway, the B1012, adjacent to a roundabout junction known as Fenn Roundabout. The site consists of a filling station which has recently been constructed and is now in use. The wider area forms the transition between the built up, urban area and the wider rural countryside. There is a row of dwellings located directly to the north west along Willow Grove, and also larger dwellings and the Tropical Wings Zoo located to the west. There are large areas of open rural land in the wider area.
5. The proposed sign would be approximately 5.5m high and be internally illuminated with the purpose being to identify the location of the filling station

- and services. It would be of a standard appearance commonly found at roadside filling stations and services and located adjacent to the vehicular exit.
6. Although the proposed sign would be located at some distance from the main petrol filling station building and forecourt, it would be in proximity to the existing road and also a nearby electricity substation, which in itself serves to urbanise this part of the surrounding area. Furthermore, the presence of the petrol filling station itself and associated signs, as well as the general street lighting and road signage, serves to further distinguish the immediate site from the surrounding countryside. In addition, the sign would be close to a row of dwellings and as such, reads with the existing built form rather than the rural area. The site itself makes little contribution to the beauty and character of the countryside as the related visual context is of the highway corridor and nearby buildings.
 7. As such, whilst the height and luminance would make the sign prominent in the landscape, it would not result in any visual harm to the character of the area given the existing built forms in the immediate surroundings. The proposal would therefore not result in any further erosion of the open rural character over and above the existing developments in the vicinity. The sign is not uncommon of those found on roadside services and although the site is well identified by the main building and other signage, there would be no harm caused by the addition of this sign in visual amenity terms.
 8. For the above reasons the proposal would be in keeping with the character of this part of the highway corridor and would not detract from the character of the countryside. As such it would comply with Policy DC2 of the Chelmsford Borough Core Strategy and Development Control Policies Development Plan Document (2008, Focused Review 2013) which seeks to ensure that new development does not affect the intrinsic character and beauty of the countryside. Furthermore, it would comply with the aims of the National Planning Policy Framework which seeks to avoid poorly placed advertisements which can have a negative impact on the environment.

Conclusion

9. For the reasons given above I conclude that the display of the advertisement would not be detrimental to the interests of amenity and the appeal is allowed. In doing so I note that no non-standard conditions have been proposed and I consider that none are necessary.

R Norman

INSPECTOR