
Appeal Decision

Site visit made on 6 June 2019

by Mr M Brooker DipTP MRTPI

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

Decision date: 13 August 2019

Appeal Ref: APP/X0415/Z/19/3224699

Land Adjacent to Jewsons, Chesham Road, Hyde End HP16 0RD

- 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 Stuart Wilbraham against the decision of Chiltern District Council.
 - The application Ref CH/2017/1228/AV, dated 15 February 2017, was refused by notice dated 18 January 2019.
 - The advertisement proposed is described as two non-illuminated freestanding advertisement signs.
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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.

Application for costs

2. An application for costs was made by Mr Stuart Wilbraham against Chiltern District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The two advertisements have been erected on site and consent for their display has been sought retrospectively. I have therefore determined the appeal on that basis. I have used the description of the proposal as detailed on the Council's decision notice because this clearly and accurately describes the proposal.

Main Issue

4. The main issue is the effect of the two advertisements on the amenity of the area.

Reasons

5. Local residents have raised objections relating to a number of matters. However, my assessment of this appeal is confined to the advertisements applied for and, by virtue of Regulation 3(1) and in accordance with the National Planning Policy Framework paragraph 132, and the issues of amenity and public safety, taking account of cumulative impacts.

6. The two advertisements are located adjacent to the entrance to the site off Chesham Road opposite residential dwellings and next to a builder's merchant, in an otherwise rural area. The appeal site is situated within the designated Green Belt and Chilterns Area of Outstanding Natural Beauty, furthermore the area is designated as an Area of Special Control for Advertisements (ASCA).
7. At my site visit I saw that the two advertisements, while large and situated above the tall metal fence that encloses the site, are set back from the road and as such are not widely visible along Chesham Road.
8. Within the immediate setting of the vehicular access onto the site, the size of the advertisements sit within the context of the signage relating to the adjacent builder's merchant and the related business that can be seen behind the signs.
9. Thus, I find that the advertisements are not injurious to the amenity of the local area. I have taken into account policy CS20 of the Core Strategy for Chiltern District which seeks to protect amenity and so is material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with this policy.

Conclusion

10. For the reasons given above I conclude that the display of the advertisements would not be detrimental to the interests of amenity.

Mark Brooker

INSPECTOR