
Appeal Decision

Site visit made on 30 September 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2019

Appeal Ref: APP/X3025/Z/19/3230345

MKM Building Supplies, Oakleaf Close, Mansfield, NG18 4GF

- 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 MKM Building Supplies Ltd against the decision of Mansfield District Council.
 - The application Ref 2019/0244/ADV, dated 16 April 2019, was refused by notice dated 31 May 2019.
 - The advertisement proposed is 2 No Advertising Non-Illuminated Fascia Skin Boxes.
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Decision

1. The appeal is allowed, and express consent is granted for the display of 2 no advertising non-illuminated fascia skin boxes 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. I noted during my site visit that both advertisements had been installed at the appeal property. I have therefore considered the appeal retrospectively.
3. The appellant has indicated that, in the event that I am minded to dismiss the appeal on the basis of the originally submitted plans, an alternative design for the advertisements illustrating the company logo would be acceptable. In that context, the appellant has provided an alternative plan. I am conscious that the appeal process should not be used as a means to progress alternatives to a scheme that has been refused. If I were to determine the appeal on the basis of the alternative option, it is possible that the interests of parties who might wish to comment would be prejudiced¹. To avoid any doubt, I have considered the proposal on the basis that it relates to the signs as proposed in the application and that have been attached to the building.

Main Issue

4. The main issue is the effect of the proposed signs on the visual amenity of the area.

¹ Annex M of the *Procedural Guide Appeals – England* advises that the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.

Reasons

Visual Amenity

5. The appeal property is a large modern commercial building occupied by a building merchants. It is located adjacent to a busy road within a mixed commercial area including, amongst others, a supermarket, Public House and car sales dealership. As a result, there is a large amount of signage in the area.
6. The proposed signs are positioned at either end of the elevation facing the adjacent supermarket car park and both signs can clearly be seen from the car park. The signs can also be seen to varying degrees from several locations including parts of Oakleaf Close and the adjacent main road. I observed that the signs cannot be seen when passing the building on the main road from the south east.
7. The lettering on the signs is smaller than the company logo, which is positioned centrally in between the 2 signs. However, I found both the lettering and images legible from the supermarket car park and footpath adjacent to the main road. I do recognise that the greater the distance from the signs, the more difficult it is to read. However, this is in keeping with many signs within the area.
8. The lettering on the 2 signs advertises what is available at the premises rather than the company logo. Although brand focussed logo signs are more common, there are other examples of signs within the area that serve similar functions to those proposed such as at the Public House. In my view, the use of a similar colour scheme to the company brand ensures that the signs relate well to the other logo signs on the building. Moreover, the combination of the 3 signs, adds some colour and interest, helping break up the large grey façade.
9. The signs occupy a relatively small area of the elevation and positioned at either end of the façade with the company logo centrally, create a balanced elevation. Overall the proposed signs do not strike me as being excessive and do not appear out of place in relation to the building or its surroundings. Accordingly, I am satisfied that there is not any unacceptable cumulative visual cluttering effect or any significant harm to the visual amenity of the area. There is therefore no conflict with the design policies in the National Planning Policy Framework.

Conclusion

10. For the reasons outlined above the appeal is allowed. In doing so I note that no non-standard conditions have been proposed and I consider that none are necessary.

Robert Walker

INSPECTOR