
Appeal Decision

Site visit made on 15 October 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2019

Appeal Ref: APP/W0340/Z/19/3233484

Land at Tower House, The Street, Mortimer Common, Reading, RG7 3RD

- 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 Steve Davies (T A Fisher (Mortimer) Ltd) against the decision of West Berkshire Council.
 - The application Ref 19/00986/ADV, dated 5 April 2019, was refused by notice dated 5 June 2019.
 - The development proposed is 2 x post and panel sign (3050mm x 1500mm).
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Decision

1. The appeal is allowed, and express consent is granted for the display of 2 x post and panel sign (3050mm x 1500mm). 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The signs to which the appeal relates are already in place. I have therefore considered the appeal on this retrospective basis.

Main Issues

4. The Council raise no objections regarding the effect of the signs on public safety. The main issues in this matter therefore are the effect of the proposal on the visual amenity of the occupiers of Fair View and the amenity of the area.

Reasons for the Recommendation

5. The Regulations, National Planning Policy Framework (the Framework) and the Planning Practice Guidance make it clear that advertisements should be subject to control only in the interests of public safety and amenity. I have had regard to the policies referred to in the Council's decision notice. However, having regard to the above, these policies have not been decisive in my determination of this appeal.

6. This appeal relates to a non-illuminated advertisement consisting of two identical signs erected in a 'V' formation. Each sign measures approximately 3050mm in height and 1500mm in width. They are attached to two steel posts with the bottom of the signs approximately 1210mm above ground level. The signs are located on the south side of The Street at the junction with Tower Gardens, which provides access to a new residential development to which the signs relate. To the immediate west is the dwelling Fair View. Beyond this is a further detached dwelling and the Horse and Groom Public House. There are also dwellings to the east of the appeal site and a large green space on the opposite side of the road where the village hall and car park is located.

Fair View

7. Fair View is a detached dwelling that sits immediately to the west of the appeal site. The signs are located to the north east corner of the dwelling, behind the boundary fence to the side of the front garden. Given this relationship, while the signs are visible from the front windows of the property, they sit at an angle from it. Consequently, the signs do not present an overbearing presence or create a sense of enclosure that would be felt from the internal living spaces. The dwelling is also angled slightly away from the signs, which would further negate any impact. While the signs are visible from the front garden of Fair View, this is unlikely to be the principle private outdoor space for the property and is unlikely to be used as such, given the main road to the front. Therefore, any impact that may be felt as a result of the height or size of the signs from within the front garden would be unlikely to affect the enjoyment of the dwelling by its occupiers as a result of harm to their visual amenity.
8. I conclude that the proposal has no unacceptable effects on the visual amenity of neighbouring occupiers at Fair View. I have taken into account Policy CS14 of the West Berkshire Core Strategy (2006 - 2026) Development Plan Document Adopted July 2012 (Core Strategy) and Policy GD1 of the Stratfield Mortimer Neighbourhood Development Plan June 2017 (NDP), which seek to protect amenity and so are material in this case. I have also taken into account Paragraph 132 of the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed. Given my findings above I find that the advertisements do not conflict with these policies.

Area

9. The advertisements are located on a section of The Street that links two relatively built up residential areas to the east and west. It has a semi-rural quality with the large open green space opposite and dwellings which are set back from the road. I noted at my visit that there are a number of road signs and banner adverts in the area. The banner adverts are set lower than the appeal signs and are attached to fencing along the green space and the nearby Horse and Groom Pub. While I am not aware of the legality of these signs, they contribute to the overall character and appearance of the area. In addition, there are a number of road signs in the area, including one immediately adjacent to the appeal signs. There is also a bus stop and a tall pub hanging sign on the opposite side of the road, all within close proximity to the appeal site. Cumulatively, these elements help establish the context of the area within which the appeal signs do not appear as incongruous features.

10. The appeal signs are located on the corner of The Street and Tower Gardens. This is a prominent location within the street scene. However, when approached from the east, the signs are seen against the backdrop of the adjacent dwellings and the Horse and Groom Public House, which reduces their visual impact on the area. When viewed from the west, the planting within the front garden of Fair View restricts views of the appeal signs (from that side of the road), reducing the impact of the signs in mid-distance to long views. While views are available from opposite the site, for the most part the signs are seen against the backdrop of buildings or trees. Therefore, they do not appear dominant within the street scene. The subdued colours that have been employed on the signs also assists in this regard.
11. In light of the above I conclude that the advertisements do not result in harm to the amenity of the area. There is no conflict with Policy CS14 of the Core Strategy, NDP Policy GD1 or the Framework in this regard.

Other Matters

12. The appellant advises that the land upon which the advertisements have been erected is unregistered. This issue has also been raised by a third party and presents difficulties for the appellant in complying with Condition 1 of the Standard Conditions, although I note that they believe it can be complied with in the event that the appeal is allowed. In any case, this is a matter for the appellant to resolve and does not prevent a decision allowing the appeal or attaching the condition.

Conditions

13. Other than the five standard conditions set out in Schedule 2 of the 2007 Regulations, the Council has indicated that it would not wish to see any additional conditions imposed in the event that the appeal was allowed. I have no reason to reach a different view to the Council in this respect.

Conclusion and Recommendation

14. For the reasons given above, I recommend that the appeal should be allowed, and express consent be granted.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

RC Kirby

INSPECTOR