



Appeal Decision

Site visit made on 15 October 2019

by Roy Curnow MA BSC(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th November 2019

Appeal Ref: APP/U1105/Z/19/3232968

Co-Operative Food, Pin Hill, Pinhoe, Exeter EX1 3TG

- 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 Co-Operative Food against the decision of East Devon District Council.
 - The application Ref 19/0723/ADV, dated 3 April 2019, was refused by notice dated 1 July 2019.
 - The advertisement proposed is 1 x internally illuminated fascia, only the co-op logo illuminates. 2 x internally illuminated co-op projectors, 1 x set of non illuminated 'welcome to' acrylic text, 2 x internally illuminated co-op logos, 9 x non illuminated wall mounted flat aluminium grey panels, 4 x non illuminated wall mounted flat aluminium panels, 2 x non illuminated post mounted flat aluminium panels and 1 x internally illuminated 3.5m totem.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council issued a split decision in which express advertisement consent was granted for all of the advertisements that were applied for, save for the internally illuminated totem sign which it refused. Based on all that I have read and seen I have no reason to disagree with the Council's decision in relation to the signs it approved, and, for the avoidance of doubt, my consideration relates only to the proposed totem sign.
3. It was evident from signage on the building and the refused totem sign had already been erected and I have assessed the appeal on this basis.

Main Issues

4. The main issues are the effects of the proposed totem advertisement on:
 - Highway safety; and
 - Visual amenity

Reasons

5. The appeal site lies very close to the crossroads formed by the B3181 and two minor roads. It lies between the main road and an estate road running southeast from it that serves an area of primarily residential development, where further houses were being built at the time of my visit. Further recent

residential development is accessed via an estate road running northwest from the junction.

6. The proposed totem sign is rectangular in shape, it is some 3.5m high with two principal faces a little over a metre wide, which display a series of advertisements relating to a nearby small supermarket. The uppermost advertisement on each of these faces would be illuminated. The totem sign lies just behind the footway that runs along the B3181 and into the estate development, at the edge of an area of open space. This open space lies between the main road and the small supermarket.

Highway Safety

7. All four arms of the junction, which was fairly busy at the time of my visit, are signal-controlled. Two of the signals, one for traffic heading towards Exeter along the B3181 and one relating to traffic movements out of the estate road to the northwest, lie very close to the totem sign. Other sets of traffic lights are located at the various arms of the junction and on islands within the B3181.
8. Given its proximity to the traffic lights and its illuminated nature, I saw how the drivers of vehicles approaching the junction could confuse the proposed illuminated sign with the traffic signals or as secondary highway signage. Whilst I agree that this would be the case with regards to traffic approaching the junction from the Exeter direction on the B3181, I also saw how this would also be the case in respect of Exeter-bound drivers on this road. The traffic light controlling this flow lies very close to the proposed totem sign and this could easily lead to confusion to drivers. This would lead to hazardous driving conditions, to the detriment of highway safety.
9. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. The Council has cited Policy D4 of the East Devon Local Plan 2013-2031, adopted January 2016, (EDLP) in the reason for refusal. It supports the provision of advertisements subject to, amongst other provisos, that they do not create a hazard to traffic safety. Given my findings, above, the proposal is contrary to its terms.

Visual Amenity

10. The Council informs me that the approval for the development currently underway, served by the southeast limb of the junction, the open space on which the sign lies is to be landscaped, including the planting of trees. I was not provided with a copy of the landscaping scheme, but this has not been challenged by the appellant. At the time of my visit, the area was grassed but no trees appeared to have been planted here.
11. Notwithstanding the lack of trees, the open space provides a valuable role in townscape terms, separating the built form of the estate from the main road. This physical and visual separation continues north-eastwards away from the junction, along this side of the B3181, where what appears to be a recreational area, including a skate park, lies between the road and new housing.
12. Although some might see it as pleasing to the eye, the sign is in a prominent position at the edge of the open space and has an adverse effect on it, undermining the role that it plays in the townscape. Apart from the relatively restrained signage on the supermarket, my attention was not drawn to other illuminated signs in the area and I did not see any at the time of my visit.

Therefore, albeit that the illuminated elements of the sign would be subtle, it nonetheless appears as an incongruous addition to the street scene that harms the area's visual amenity.

13. The Council again cites Policy D4 of the East Devon Local Plan 2013-2031 (adopted January 2016) in the reason for refusal. This time, with regards to its reference to effect on amenity. For the same reasoning that I have given with regards to the Regulations, above, I have taken the policy into account, but it has not been a decisive consideration in my determination of the appeal.

Other Matters

14. Notwithstanding my findings with regards to highway safety, I agree that there would be no ill-effects on pedestrians in the area. The Council does not refer to any ill-effects on drivers' visibility at the junction arising from the proposed sign and I have no reason to find otherwise. Neither of these points outweighs the harm that I have identified.
15. I note that the proposed sign would not harm any heritage asset, would not obscure the store or its entrance, and that it would be in line with the company's new branding. Again, however, none of these matters is sufficient to outweigh the harm that would arise. I find that the economic benefits that the sign might give to the small supermarket and its prospects for employment generation to be limited and, again, would not outweigh the harm that has been identified.
16. I saw a number of advertisements close to the appeal site, for the developer of the nearby residential estate. I was given very few details relating to them, and I am unaware of the background to their display. Furthermore, none appeared to be illuminated. As such, I give them little weight in my deliberations.

Conclusion

17. For the above reasons, I conclude that the appeal, inasmuch as it relates to the totem sign, should be dismissed.

Roy Curnow

INSPECTOR