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## Appeal Decision

Site visit made on 16 June 2020

**by M Aqbal BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 June 2020**

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**Appeal Ref: APP/W1850/Z/20/3251956**

**Suzuki GB PLC, Stirling of Hereford, Grafton Lane, Callow HR2 8BT**

- 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 Suzuki GB PLC against the decision of Herefordshire Council.
  - The application Ref 190533, dated 13 February 2019, was refused by notice dated 25 February 2020.
  - The advertisement proposed is described as: 4 x internally illuminated rolled fascia panels 'A' 'B' 'C' 'E' 1 x internally illuminated panel 'E'.
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### Decision

1. The appeal is allowed and express consent is granted for the display of the new signage 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 and the following additional condition:
  - 1) This consent is for Sign E, as shown on drawings ref: Job no -131647/B.

### Procedural Matters

2. The Council issued a split decision in which express advertisement consent was granted for signs A, B, C and D. For the avoidance of doubt this appeal relates only to the refusal of sign E, this sign has already been installed and is consistent with the submitted drawings. I have proceeded with the appeal on this basis.

### Main Issue

3. The main issue is the effect of sign E on public safety.

### Reasons

4. The totem sign (Sign E) is located in proximity of the A49. It is one of a number of similar totem signs at the adjoining car showrooms.
5. Highways England (HE) raised an objection to Sign E over concerns that it poses a potential risk to road users in the event that the sign assembly were to fail and fall onto highway land. To this end, HE requested the appellant to apply for certification to demonstrate that the sign assembly was structurally sound, in accordance with Design Manual for Road and Bridges. I am not aware of any such certificate being applied for or being granted.
6. Nevertheless, on the information before me, the structure for the totem sign has existed for a number of years and only the external signage in the form of

aluminium panels have been replaced. Moreover, if approved, Sign E would be subject to the five standard conditions set out in the Regulations. These include a requirement that: 'any advertisement hoarding or structure is to be kept in a condition which does not endanger the public'. Therefore, and given the particular circumstances of Sign E, the afore mentioned condition would provide an adequate safeguard against any potential risk to public safety.

7. For the above reasons, the approval of Sign E would not be detrimental to public safety and does not conflict with such aims of Policy MT1 of the Herefordshire Local Plan Core Strategy and paragraph 132 of the National Planning Policy Framework.

### **Conditions**

8. In addition to the standard conditions as set out in the Regulations, in the interests of precision it is necessary to impose a condition specifying the approved sign.

### **Conclusion**

9. For the reasons set out above, I conclude that the appeal should be allowed.

*M Aqbal*  
INSPECTOR