
Appeal Decision

Site visit made on 7 July 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2020

Appeal Ref: APP/F4410/Z/20/3248691

Units 1 to 3, Whittington's Court, Wheatley Hall Road, Wheatley, Doncaster DN2 4PE

- 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 Ben Porte, Clear Channel UK against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 20/00119/ADV, dated 10 January 2020, was refused by notice dated 24 February 2020.
 - The advertisements proposed are two freestanding illuminated D-Poster displays.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisements on the amenity of the area.

Reasons

3. The proposal would be located on land associated with 'Lee Garth Tools', close to the boundary with Wheatley Hall Road. A freestanding sign and flagpoles occupy this land that would be removed in order to accommodate the proposed advertisements. A building of a modest height lies to the rear of where they would be sited. The land uses in the vicinity of the site are largely of a commercial nature. Wheatley Hall Road is a major thoroughfare in Doncaster.
4. The proposed advertisements would take the form of 2 illuminated freestanding board displays that would face traffic coming from either direction. With their size, they would appear out of scale against the backdrop of the building. They would also be considerably more apparent than the existing sign and flagpoles, when their design and size is considered. The height would not be dissimilar to the sign to be removed, but the proposed advertisements would have a substantially greater presence with their overall proportions. As a consequence, they would be viewed as an incongruous feature.
5. Where the Planning Practice Guidance is supportive of advertisements in an industrial or commercial area, and where there are main highways, it also refers to large buildings. This is not the case with the appeal site because of the size of the building behind it. Whilst there are buildings of a greater scale and appearance along this road, this is not a characteristic of the site itself.

The proposed advertisements would be seen principally in the context of the neighbouring building, rather than other larger buildings.

6. Such advertisements are to be not unacceptable in amenity terms and not just in locations that are afforded a protected status. This would not be achieved by the proposed advertisements due to the negative impact upon the character of the surrounding area.
7. I am less concerned as regards visual clutter because the proposal would involve the removal of the existing signage. Whether or not the proposed advertisements would be necessary does not fall within what can be considered under the Advertisement Regulations (2007) and the same applies by way of precedent. Nevertheless, these matters do not satisfactorily address the harm that I have identified, and nor does that public safety is not a matter of dispute.
8. I conclude that the proposed advertisements would have an unacceptable effect on the amenity of the area. As such, they would not comply with paragraph 132 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.
9. I have taken into account the site's location in an employment policy area under the development plan, and Saved Policies ENV58 and ENV53 of the Doncaster Unitary Development Plan (1998) and Policy CS14 of the Doncaster Council Core Strategy 2011-2028 (2012) as far as they seek to protect amenity and so are material in this case. Given that I have concluded that the proposal would harm amenity, it conflicts with these policies.

Conclusion

10. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR