



Appeal Decision

Site visit made on 8 July 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2020

Appeal Ref: APP/W3005/Z/20/3249401

12 Fackley Road, Stanton Hill, Sutton in Ashfield NG17 3HG

- 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 Sugden (Unsworth Sugden) against the decision of Ashfield District Council.
 - The application Ref V/2019/0786, dated 2 December 2019, was refused by notice dated 30 January 2020.
 - The advertisement proposed is a single sign on the side elevation of 12 Fackley Road.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Fackley Road is a residential street lined with dwellings on both sides, with the exception of the Co-op supermarket which stands at the western end of the street at the roundabout junction with High Street. Whilst the supermarket displays signage to various parts of the building and its car park, including a totem pole and fascia signs on the Fackley Road frontage, their distinctive corporate livery means they are read as part of a single commercial premises, distinct from the otherwise residential street where advertisements are absent, and physically separated from it by the car park.
4. The proposed non-illuminated banner advertisement would be attached to the side gable wall of the dwelling at 12 Fackley Road, facing out over the car park of the supermarket. I have had regard to other advertisements pointed out by the appellant. I saw that most of these are located along High Street. They are mainly modest signs positioned above shopfronts and related to the businesses trading from the premises, along with two billboard advertisements to the side walls of 72 High Street and 374 Stoneyford Road. However, these are located within an area exhibiting a discernibly more commercial character. The proposed advertisement would not be seen in the same context as this signage, except from a single viewpoint across the supermarket car park.
5. Rather, the proposed advertisement would be seen primarily from Fackley Road as one passes the supermarket and leaves the commercial area, where it would be viewed against a residential backdrop where no other signage is present.

The advertisement would be displayed prominently on the side wall of No 12 and its large size and position tight against the existing window would result in an awkward and cluttered arrangement. The proposal would represent a conspicuous intrusion which would impose an uncharacteristic commercial feature within an overwhelmingly residential area that would detract from its character and appearance.

6. For these reasons, I conclude that the proposed advertisement would significantly harm the amenity of the area. I have taken into account the provisions of the development plan, so far as they are material, in accordance with the Regulations. There would be conflict with saved Policy ST1 of the Ashfield Local Plan Review 2002 which indicates that development will be permitted where, amongst other things, it will not adversely affect the character, quality, amenity or safety of the environment. I also find conflict with the National Planning Policy Framework, which at paragraph 132 sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.
7. The Council did not raise objection to the effect of the proposal on public safety and, having observed the site, I have no reason to reach a contrary view. However, the absence of harm in this respect would be a neutral factor which would not outweigh the harm identified.

Conclusion

8. For the reasons set out, the appeal is dismissed.

K Savage

INSPECTOR