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## Appeal Decision

Site visit made on 7 September 2020 by AJ Sutton BA Hons DipTP MRTPI

**by K Taylor BSc (Hons) PGDip MRTPI**

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

**Decision date: 12 October 2020**

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**Appeal Ref: APP/W1850/Z/20/3254381**

**Signs along the A4103, between Radway Bridge and Whitestone Baptist Chapel, Whitestone, Hereford**

- 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 Nirmal Suman against the decision of Herefordshire Council.
  - The application Ref 200201, dated 23 January 2020, was refused by notice dated 22 April 2020.
  - The advertisements are described as 'advertising correx boards x 2 placed in privately owned fields on opposite sides of the A4103 on the outskirts of Withington approx 4 miles east of Hereford'.
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### Decision

1. The appeal is allowed, and express consent is granted for the display of advertising correx boards x 2 placed in privately owned fields on opposite sides of the A4103 on the outskirts of Withington approx 4 miles east of Hereford, Signs along the A4103, between Radway Bridge and Whitestone Baptist Chapel, Whitestone, Hereford, in accordance with the terms of application Ref 200201, dated 23 January 2020, and submitted plans and images. The consent is for five years from the date of this decision and subject to the five standard conditions in Schedule 2 of 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.

### Preliminary Matters

3. This appeal relates to advance advertisements at two separate sites on the A4103, near the settlement of Withington. Both advertisements were in situ at the time the site visit was conducted. One advertisement is located west of Withington on the north side of the A4103 (Sign A) with another one located to the east of the junction of Withies Road, Withington and on the southern side of the A4103 (Sign B).
4. There is a further advertisement, at Springfield Road, Withington, close to the appellant's commercial premises, which is subject of a separate appeal. This recommendation is limited to the submitted information for this case.

## **Main Issue**

5. The main issue is the effect of the advertisements on the visual amenity of the surrounding area.

## **Reasons for Recommendation**

6. The advertisements are situated at the edge of fields, confined by hedges and are visible from the public highway (A4103). The road near the appeal sites is bounded by open countryside interspersed with villages and hamlets. There are also a number of small businesses alongside or just off the A4103, including a garden centre/cluster of commercial units to the west and a business park near Whitestone, just east of Withington.
7. The advertisements are corrugated plastic boards, described as correx, supported on wooden frames. They provide advanced warning of and directions to the appellant's fish and chips takeaway shop in Withington, a short distance off the A4103.
8. Powers under the Regulations<sup>1</sup> to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors.
9. Amenity is not defined exhaustively in the relevant Regulations. It includes aural and visual amenity and factors relevant to amenity include the general characteristic of the locality, including the presence of any features of historic, architectural, cultural or similar interest. Given the nature of these advertisements only visual amenity is at issue in this case.
10. The sections of the A4103, near both sites, are distinctly rural. However, advertisements associated with local services and businesses positioned at the roadside is not an uncommon feature in the surrounding area. I observed board type advertisements, most notably in relation to the business park at Whitestone, east of Sign B, and numerous A frame and board type advertisements fronting the access to Radway Bridge Garden Centre and other commercial units, just west of the location of Sign A.
11. Indeed in reaching this recommendation, although not decisive, I am mindful of the PPG which states in dealing with applications for 'advance signs', to be sited off highway land, directing potential customers to businesses...in scenically attractive rural areas, local planning authorities need to bear in mind that appropriate sign-posting can benefit the local economy....<sup>2</sup>.
12. The advertisements, subject of this decision, differ somewhat to other advertisements observed in the area in respect to their elevated structures. However, their simple board style and scale is generally consistent with the type of advertisements observed in the locale. As such neither advertisement appears out of character with this rural setting and they do not have an overly urbanising effect on the area.
13. In summary, by virtue of their type and size, the advertisements do not have a harmful effect on the visual amenity of the surrounding area.

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<sup>1</sup> The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

<sup>2</sup> Planning Policy Guidance Paragraph 032 Reference ID: 18b-032-20140306

## **Other Matters**

14. The Council has raised no objection in respect to public safety. The advertisements are not of a type, as identified in Planning Policy Guidance (PPG)<sup>3</sup>, which may cause danger to road users. Furthermore, the Council states that the advertisements are located where the road alignment affords good visibility and away from junctions. I observed nothing which would lead me to dispute this conclusion.
15. I note also concerns about the safety and stability of the wooden structures. However, this matter would be addressed by one of the standard conditions which apply to all advertisements and requires that the hording or structure is kept in a condition which does not endanger the public.
16. Information confirming location and dimensions of the advertisements is provided in the submitted application and I observed nothing which would lead me to question these matters.

## **Conclusion and Recommendation**

17. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

*A J Sutton*

APPEAL PLANNING OFFICER

## **Inspector's Decision**

18. I have considered all the submitted evidence and concur that the appeal should be allowed.

*K Taylor*

INSPECTOR

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<sup>3</sup> Planning Policy Guidance Paragraph 068 Reference ID: 18b-068-20140306