



Appeal Decision

Site Visit made on 10 November 2020 by A J Sutton BA Hons DipTP MRTPI

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2020

Appeal Ref: APP/U1620/Z/20/3256360

92 Barnwood Road, Gloucester, GL4 3JH

- 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 New Dawn Homes Ltd against the decision of Gloucester City Council.
 - The application Ref 20/00320/ADV, dated 2 April 2020, was refused by notice dated 20 May 2020.
 - The advertisement proposed was originally described as 'Land adjacent to 92 Barnwood Road advertisement hoarding'.
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Decision

1. The appeal is allowed, and express consent is granted for an advertisement hoarding at 92 Barnwood Road, Gloucester, GL4 3JH, in accordance with the terms of application Ref 20/00320/ADV, dated 2 April 2020. The consent is for 9 months from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional condition:
 - 6) The hoarding permitted by this consent shall be removed from the site no later than 9 months from the date of this decision.

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. The hoarding was in place at the time the site visit was conducted. The appellant's statement references an 'Enforcement Notice' which is cited as Appendix 1 of the statement, however, a copy was not included in the submitted evidence. A decision notice issued by the Council which refused express consent for the advertisement subject to this appeal was submitted by the appellant. The appeal form and the local planning authority questionnaire indicate the appeal has been made against the refusal of consent for the display of the advertisement hoarding and the appeal has been determined on this basis.
4. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration

where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

5. In the formal decision above I have amended the description of the advertisement in the planning application form to remove any duplication of the address details.

Main Issue

6. The Council has raised no objection in respect of public safety, and I observed nothing which would lead me to dispute this conclusion. Accordingly, the main issue is the effect of the advertisement on the visual amenity of the area.

Reasons for Recommendation

7. Amenity is not defined exhaustively in relevant Regulations. It includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest. Given the nature of this advertisement hoarding, only visual amenity is at issue in this case.
8. Paragraph 132 of the National Planning Policy Framework highlights that the quality and character of places can suffer when advertisements are poorly sited and designed.
9. The appeal site forms the boundary of an undeveloped plot of land near a busy roundabout at the junction of Barnwood Road and Eastern Avenue. The roundabout forms part of a main arterial route around Gloucester. The immediate area near the appeal site is a point of transition between the residential estates of Barnwood and the commercial development along Eastern Avenue. The roundabout is large and edged by a mix of commercial premises with an apartment block located beyond a dual carriageway, opposite the appeal site.
10. The advertisement extends along the majority of the boundary of No 92 which fronts the roundabout. It is a non-illuminated board style hoarding, set back from the pavement and slightly elevated, level with a low boundary wall.
11. It is positioned in a prominent location at the busy highway intersection where it is readily observable by pedestrians and road users. Whilst it is at a boundary which forms the edge of a residential estate, the site and advertisement is viewed in the context of its immediate setting and does not appear out of keeping with the mixed-use character of the area. Although the hoarding is long, its height is not excessive, being only just higher than the adjacent palisade gate. Furthermore, the advertisement's understated appearance, free of illumination, digital features or strident colours, ensures it does not overwhelm or dominate the area.
12. It is therefore concluded that the advertisement does not have a harmful effect on the visual amenity of the area. Although not determinative in this case, it would not be contrary to Policies SD.4 and SD.14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 which seek to improve

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

environmental quality and require proposals to respond positively to and respect the character of the site and its surroundings.

13. Policy D4 of the Gloucester City Plan Pre-Submission 2019 relates to signs in the context of shopfronts and its therefore not relevant to this case.

Other Matters

14. Matters regarding business and market conditions are beyond the scope of the matters that can be considered in this case and have not carried weight for this reason.

Conditions

15. In addition to the standard conditions, the appellant is content to accept a condition which would ensure that the advertisement hoarding is displayed for a temporary period of nine months and removed thereafter. I consider that this is necessary to prevent deterioration in the condition of the advertisement hoarding which would be likely to be harmful to the character and appearance of the area and is a reasonable period pending any future proposals for the area.

Conclusion and Recommendation

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

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

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

Sarah Housden

INSPECTOR