



Appeal Decision

Site visit made on 14 December 2021

by Diane Cragg Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2021

Appeal Ref: APP/F2415/Z/21/3278482

Land at the entrance of Buxton Crescent and Broughton Way, Broughton Astley, Leicestershire.

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Jelso Homes (Jelso Ltd) against the decision of Harborough District Council.
 - The application Ref 21/00628/ADV, dated 1 April 2021, was refused by notice dated 27 May 2021.
 - The advertisement proposed is sales board measuring 4.8m x 2.4m to display company name, development name and details.
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Decision

1. The appeal is allowed, and planning permission is granted for sales board measuring 4.8m x 2.4m to display company name, development name and details in accordance with the terms of the application ref 21/00628/ADV dated 1 April 2021. This express consent expires on 31 December 2024 as applied for and is subject to the other standard conditions set out in the Regulations.

Preliminary Matters

2. The address of the development is taken from the appeal form as this is more comprehensive than the address on the application form. I have also removed reference to the relocation of the signage from the description in the banner heading above as this is not in itself development and I have determined the appeal accordingly.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council considers to be relevant, these have not been decisive in my determination of this appeal.
4. The Council does not object to the siting of the advertisements on public safety grounds and following my site visit I see no reason to disagree.

Main Issue

5. Having regard to the above, the main issue is the effect of the advertisement on amenity.

Reasons

6. The advertisement for which consent is sought is already displayed. It is a freestanding sign located on the edge of an attractively landscaped open space at the junction of Buxton Crescent and Broughton Way.
7. The appellant states that the signage is needed to advertise the adjacent mixed-use development, including 310 houses, currently being built and due to be completed by December 2024. The signage is particularly important now that the uncompleted part of the development is not visible from Broughton Way.
8. Whilst the advertisement is large, its materials and detailing are subdued, and the sign is not illuminated. The landscaped back drop to the signage softens its visual prominence and provides a degree of segregation from the adjacent housing. I have had regard to the advertisement's particular purpose and temporary nature, and I am satisfied that for the duration of the housing development the signage would not be unexpected or incongruous.
9. I have noted my colleague's reasoning in relation to an appeal¹ for other signage previously displayed at this location. However, I do not consider my conclusions to be incompatible with the approach in that decision and I agree that the permanent display of advertisements for businesses within the development would not be appropriate.
10. For the above reasons, I conclude that the proposal would be acceptable in amenity terms in the specific circumstances of this case for a temporary period. Although not determinative, the advertisement would accord with Policy GD8 of the Harborough Local Plan 2011 to 2031 adopted 30 April 2019 (HLP) where it seeks to ensure that development respects the context and characteristics of individual sites. It would also accord with the Framework.
11. Policy RT3 of the HLP has limited relevance because its primary focus is shop fronts.

Other Matters

12. I acknowledge the third-party concerns about the advertisement, but I see no reason to disagree with the Council that the advertisement would not detract from the residential amenity of these properties. Further, I have found that the advertisement is not harmful to the visual amenity of the area; issues related to the upkeep of the surrounding land and associated maintenance payments are outside the remit of the appeal process.

Conditions

13. For certainty, I specify the period for which express consent is granted.
14. The appellant refers to planting trees to the rear of the signage. However, following my site visit I do not consider that a condition requiring tree planting is necessary. Therefore, other than the five standard conditions set out in the Regulations, no further conditions are necessary.

¹ Appeal ref: APP/F2415/Z/19/3224252

Conclusion

15. For the reasons given above, the appeal is allowed.

Diane Cragg

INSPECTOR