



Appeal Decision

Site visit made on 11 January 2022

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2022

Appeal Ref: APP/J3720/H/21/3285691

Approved drive thru, land adjacent to the Rosebird Centre, Shipston Road Stratford-Upon-Avon CV37 8LU

- 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 Costa Ltd against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/02893/ADV, dated 8 September 2021, was refused by notice dated 26 October 2021.
 - The development proposed is x2 pole signs.
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Decision

1. The appeal is dismissed.

Procedural matter

2. I have dealt with another appeal (Ref: APP/J3720/H/21/3282329) on this site. That appeal is the subject of a separate decision.

Main Issue

3. It is not disputed that the signs would not have a material adverse effect on public safety. Therefore, the main issue in this appeal is the effect of the signs on the visual amenity of the area.

Reasons

4. The appeal site boundary, adjoining the A3400, exhibits a pleasing, verdant character, owing to the presence of grass verges, hedgerow and trees. Despite street furniture and built development being visible either side of this boundary, the overall character remains attractive and easy on the eye. The retail park itself is visually unobtrusive given the visual harmony between built development and the natural environment.
5. The two signs proposed would introduce two totem poles along the boundary with the A3400. The poles would not be dissimilar in appearance to the existing lampposts but the signage on top would create two structures that overall would appear unduly dominant in views along the A3400. The prominent position of the signs and their form and design means that they would appear as a discordant form of commercial development within a more natural setting, even if their illumination would be minimal. As a result, the proposal would erode the sense of space along the A3400 and be harmful to the positive contribution the natural landscaping makes to the visual amenity of the street at present.

6. I have been advised of the need for signage at the retail park entrance to direct visitors to the shop due to its limited visibility from the road frontage. However, that matter does not outweigh or justify the harm to amenity that would arise as a result of the particular signs proposed in this case.
7. The appellant may have consent for pole signs at other sites but without evidence of these, within their site context, I cannot say that they are directly comparable with the signs proposed in all respects. In any event, I have considered the appeal on its own planning merits.
8. A sign that is non-illuminated, shorter and with a different directional sign would be materially different to the appeal proposal. The fall-back position of a sign erected under deemed consent, therefore, would have less of a visual impact. On this basis, the fallback position does not weigh in favour of the appeal.
9. For the reasons given, the signs would have an adverse effect on the amenity of the area, in conflict with the National Planning Policy Framework (2021) and with the requirements of Policies CS.5 and CS.9 of the Core Strategy (2016) as further material considerations.

Other matters

10. It is not within the remit of this appeal for me to suggest a form or scale of sign that would be appropriate. I appreciate the appellant's concern regarding the process of engagement with the Council but this is also not a matter that is within the remit of this appeal and that I can comment on. Any concerns regarding the handling of the application or the decision-making process should be taken up with the Council.
11. The site may not be subject to heritage designations but this does not lessen in any way the harm to visual amenity identified.

Conclusion

12. For the reasons given, I conclude that the proposed signs would be detrimental to visual amenity and therefore the appeal is dismissed.

R Walmsley

INSPECTOR