



Appeal Decision

Site visit made on 7 April 2022

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th May 2022

Appeal Ref: APP/W1525/Z/21/3285374

2 Writtle Road, Chelmsford CM1 3BX

- 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 Mr Justin Price (Adore Outdoor) against the decision of Chelmsford City Council.
 - The application Ref 21/01001/ADV, dated 13 May 2021, was refused by notice dated 26 August 2021.
 - The development proposed is described as the “retention of an externally illuminated billboard sign”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development in the banner above from the Council’s decision notice as this more accurately reflects the proposal before me.

Main Issue

3. The Regulations, the National Planning Policy Framework (the Framework) and the Planning Practice Guidance make it clear that advertisements should be subject to control only in the interests of amenity and public safety. Therefore, the main issue is the effect of the proposed advertisement on highway and public safety, and on the visual amenities of the area.

Reasons

Visual Amenity

4. The appeal site forms the side elevation of an existing convenience store that is located on the corner of Writtle Road and Crompton Street. The advertisement was in situ at the time of my visit and is set to one side of the building, to maximise its prominence on Writtle Road. As a result of its placement on the side elevation, and with buildings on Writtle Road set back from the roadside, the advertisement is visible before one meets Crompton Street whilst travelling in a westerly direction. In addition, the advertisement is also visible from the footpaths and road on Crompton Street as one nears its junction with Writtle Road.
5. Despite the presence of the convenience store and its signage, the area is generally residential in character. The advertisement occupies a very large proportion of the side of the building, and is mounted at a high level with a

large bar style lighting system over it, extending across its width. Notwithstanding its black border, the advertisement does not appear as a subservient feature on the side elevation of the building, but rather as a garish and dominant feature in this suburban setting. This would be exacerbated by its illumination at night.

6. Thus, the advertisement represents a large addition that creates discordant clutter in an area that has a relatively modest amount of street furniture or paraphernalia, and which currently has no other such advertisement. It appears prominent within the street scene and its solid lines and sheer size are visually jarring, dominating the street scene at this part of Writtle Road and Crompton Street. It appears out of place in this otherwise predominantly residential area.
7. Consequently, I consider that the advertisement erodes the character and appearance of the area thus causing harm to visual amenity.

Highway and Public Safety

8. The pavement at the appeal site is bound to one side by the flank elevation of the appeal site and by two green telecoms boxes that are within a small area of landscaping. The Council calculate that the advertisement is positioned some 2.1m above the footway, which is below the 2.3m minimum height required by MfRB¹. As such, it fails to provide adequate headroom for pedestrians, this is further exacerbated by the positioning of the telecoms boxes opposite the advertisement which narrows the footpath.
9. However, the advertisement does not project over the entire footpath and although it does protrude from the wall it is attached to, there is adequate space, and indeed headroom, for pedestrians to pass the advertisement without it causing an obstruction. Thus, I am not persuaded that the advert would cause harm in terms of highway and public safety.

Other Matters

10. The appellant has provided images to demonstrate that an advertisement was on the side elevation of the appeal property in 2009 and 2021. Although I acknowledge these images, the length of time an advertisement may have been erected at the site does not lessen the harm I have identified above.
11. Moreover, although the appellant has indicated that the advertisement could be reduced in size to 10' x 13.3', I do not have details of an alternative, including the removal of any illumination, to be able to come to a conclusion regarding its potential effect on the visual amenities of the area.

Conclusion

12. Thus, for the reasons as set out above, I find that the advertisement would result in harm to the visual amenities of the area. It would be in conflict with paragraph 136 of the Framework. Therefore, the appeal is dismissed.

Graham Wyatt

INSPECTOR

¹ Manual for Roads and Bridges (CD-143)