The Planning Inspectorate

# Appeal Decision

Site visit made on 10 May 2022

**by Jonathan Edwards BSc(Hons) DipTP MRTPI**

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

**Decision date: 12 May 2022**

**Appeal Ref: APP/P1805/Z/22/3294225**
**Morrisons Car Park, Buntsford Park Road, Bromsgrove B60 3DX**

- 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 Trilogy (Leamington Spa) Ltd against the decision of Bromsgrove District Council.
- The application Ref 21/01728/ADV, dated 22 November 2021, was refused by notice dated 8 January 2022.
- The advertisement proposed is 1 no banner sign and 1 no illuminated totem sign.

## Decision

1. The appeal is allowed and express consent is granted for 1 no banner sign and 1 no illuminated totem sign. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

## Preliminary Matters and Main Issue

2. The proposed signs are associated with a Costa Coffee drive-thru outlet which has planning permission but has not yet been constructed. Advertisement consent has also been granted for a number of signs on and close to the permitted building. As it seems likely that the planning permission and advertisement consent will be implemented, I have had regard to the approved features in my assessment of this appeal.

3. The Regulations confine the assessment of advertisements to issues of amenity and public safety. Development plan policies and the Council's High Quality Design Supplementary Planning Document 2019 (SPD) are only relevant considerations insofar as they relate to such matters. The main issue in respect of this appeal is the effect of the proposed advertisements on amenity.

## Reasons

4. The proposed signs would be positioned near to the roadside boundaries of a large car park serving a Morrisons supermarket. The site is close to a roundabout on the busy A38 where it meets Sherwood Road and Austin Road. A petrol filling station lies between the car park and Sherwood Road while an Aldi food store lies on the opposite side of the highway. The shops and filling station give the area a significant commercial feel despite residences and a recreation ground on the opposite side of the A38. Also, various advertisements are already displayed on the Morrisons and Aldi buildings as well as at the petrol station. Consequently, in general terms, the proposed signs would not be unusual features in the area.

5. The totem sign would be highly visible given its prominent position at the corner of the car park nearest to the roundabout. It would be close to an existing totem sign associated with the petrol station. In comparison, the proposed sign would be slightly higher than the existing but it would be generally narrower and less bulky. As such, the totem sign would not be perceived as being inappropriately large. Also, it would not stand out as being unusual given the various advertisements seen nearby.

6. The proposed banner sign would be low and while close to and visible from the A38, it would be screened to a degree by trees on either side. As such, it would not be overly prominent and it would be appropriate to its context on the edge of a supermarket car park.

7. The SPD resists a proliferation of advertisements fronting main roads. However, in this case, the resulting cumulation of advertisements would not be unattractive or inappropriate given the commercial and road dominated context, their different designs and the space between the signs. Even when taking into account the signage already approved but not yet displayed, the advertisements subject to this appeal would not generate an excessive or unattractive clutter as they would be set away from the approved coffee outlet rather than on the building itself.

8. For these reasons, I conclude the proposal would not have a harmful effect on the visual amenity of the area. I have been referred to policy BDP.19 of the Bromsgrove District Plan 2017 but this does not specifically mention the effects of advertisements on amenity and so is of questionable relevance in the assessment of this appeal. Insofar as it is relevant to my determination, I find the proposal would not be contrary to the provisions of the SPD.

**Other Matters**

9. There is no dispute between the main parties that the signs would avoid harm in respect of public safety. There is no reason for me to arrive at a different view on this matter.

10. The Council contend that the proposed signs would be superfluous given those already allowed in association with the permitted drive-thru coffee facility. However, the issue as to whether there is or is not a need for the advertisements has no bearing on any assessment of amenity or public safety. Consequently, this factor has no influence on my determination of the appeal.

**Conditions and Conclusion**

11. The Council suggest no conditions over and above those set out in Schedule 2 of the Regulations and I find no reason to impose additional conditions. For the reasons given above, I conclude that the proposal would not be detrimental to the interests of amenity or public safety and so the appeal should succeed.

*Jonathan Edwards*

INSPECTOR