
Appeal Decision

Site visit made on 14 June 2022

by D.R McCreery MA BA (Hons) MRTPI

An Inspector appointed by the Secretary of State

Decision date: 27 September 2022

Appeal Ref: APP/J2210/W/21/3292078

Land North West of Greenhill Roundabout, Herne Bay, Kent

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr N Greenhalgh against the decision of Canterbury City Council.
 - The application Ref CA/21/01688, dated 30 June 2021, was refused by notice dated 27 September 2021.
 - The proposal is advertisement hoardings (3no).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application form and decision notice indicates that the appeal relates to refusal of an application for planning permission under the Town and Country Planning Act 1990, rather than express consent to display an advertisement under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. This appeal is therefore principally concerned with the construction of the hoardings, rather than the display of advertisements on them. However, given the intended use of the hoardings, it is relevant to consider the likely effect of an advertisement as part of assessing the merits of the proposal. I have decided the appeal on this basis.

Main Issue

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The site is an area of greenery sitting adjacent to the Greenhill Roundabout (the Roundabout). The Roundabout provides an important function as part of the busy vehicular route known as the Thanet Way. As well as serving through traffic along the Thanet Way, it also provides access to nearby residential areas and the town itself. In the latter case this is via a bridge that crosses the railway line passing to the rear of the site.

5. Views of the railway line from the Roundabout are mostly obscured by trees and other planting. This provides a green backdrop that is consistent with much of the character of land to the north of the Thanet Way in the area around the site. It is also part of a wider green corridor that separates the town from the Thanet Way and assists with the spatial transition between the built up areas of Herne Bay and the countryside that lies beyond it. The green character of land to the north of the Thanet Way contrasts with, and is distinct from, the more obviously residential and built up nature of the area to the south of the Roundabout.
6. In this context, the proposed hoardings would be substantial structures. Notwithstanding their setback from the footway and stepped nature, they would still represent an imposing and prominent feature when seen within the immediate surroundings of the Roundabout and more widely, notably when travelling from the east along the Thanet Way.
7. The appearance of the hoardings in this location would be visually intrusive, impacting unduly on the green characteristics of the land and sense of openness described above and introducing visual clutter to a site that is currently free of built development.
8. The proposal would diminish the contribution the site makes to the wider green corridor that is an important spatial aspect of land to the north of the Thanet Way. The effect of piecemeal development risks slowly eroding the green corridor, which would have negative spatial effects for the area and the balance between built areas and the countryside.
9. Within the immediate locality, the adjacent supermarket development has resulted in a relatively substantial built presence in this part of the north side of the Thanet Way. Although I do not have detailed evidence on the pre-existing condition of the supermarket site, it currently interrupts the continuity of the green corridor to a degree. The evidence provided indicates that the supermarket development was considered on its own merits, which it is not for this appeal to reassess, although the approval discredits somewhat the Council's stance about the protected nature of other open space.
10. The supermarket development influences the backdrop of the site and the locality, although not to the degree that it fundamentally changes the character of the land to the north of the Thanet Way. Further, the scale and appearance of the supermarket development does not automatically justify piecemeal erosion of the green corridor or development on the appeal site that would be visually intrusive due to the effects on character.

11. I have paid regard to the appeal decisions that have been drawn to my attention¹. Although my overall conclusion is the same, the previous appeal decisions have carried limited weight due to their age and the changed physical and policy context.
12. Future discussion about alternative schemes would be a matter between the Appellant and the Council in the first instance.
13. In conclusion, the proposal would result in harm to the character and appearance of the area. Consequently, there is conflict with policies in the development plan for the area, specifically Policy DBE3 of the Canterbury and District Local Plan which sets out principles aimed at achieving high design quality, which includes considering the character, setting and context of the site and high quality design solutions that are appropriate to it.
14. These principles are consistent with the aims set out in the National Planning Policy Framework of fostering well designed and beautiful places (paragraph 8, as expanded on in Section 12 – Achieving well designed places).

Other Matters

15. I have noted that the proposal has attracted no objection from the highway authority. This is not a matter that weighs heavily in favour of the scheme so as to overcome my conclusions on the main issue.

Conclusion

16. For the above reasons, and taking account of all the points made, the appeal is dismissed.

D.R. McCreery

INSPECTOR

¹ APP/J2210/H/10/2126435 and APP/J2210/H/09/2099829