



Appeal Decision

Site visit made on 3 October 2022 by R Dickson BSc (hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2022

Appeal Ref: APP/Y1110/Z/22/3302666

Selco Builders Warehouse, Marsh Barton Road, Exeter EX2 8YX

- 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 Selco Builders Warehouse against the decision of Exeter City Council.
 - The application Ref 22/0337/ADV, dated 11 March 2022, was refused by notice dated 13 June 2022.
 - The advertisement proposed is for consent to display 4no. non illuminated fascia signs around top perimeter of building.
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Decision

1. The appeal is allowed and express consent is granted for the display of 4no. non illuminated fascia signs around top perimeter of building as applied for. 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account where relevant. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), (the Regulations), to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the policies cited by the Council have not therefore, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the proposed advertisements on visual amenity.

Reasons for the Recommendation

5. The appeal property is a large warehouse that was part of a new development on the Marsh Barton trading estate. It already has some illuminated advertisements on the front and side elevations. Although taller than older buildings opposite, some of the modern developments nearby are of similarly large scale. The immediate surrounding area has a busy mixed use and

industrial character, with all businesses having associated advertisements either directly attached to the building, or as banners.

6. Selco Builders Warehouse is of functional commercial design with a band of horizontal cladding around the top. The proposed advertisements would occupy this perimeter band and therefore work with this architectural feature of the building. Although the proposed advertisements would be large, they would be proportionate to the overall size of the building. There would be a number of advertisements on each elevation, however large areas of wall would remain free of signage and the total amount of advertisements would be proportionate to what is a large building, and with less coverage than on other businesses in the area. Consequently, they would not degrade the architecture quality of the building.
7. Banner advertisements are very common on the trading estate, often around the perimeter of buildings. While not necessarily at the same height as is proposed here, they are nevertheless part of the character of this highly commercial trading estate. In this context, the proposed advertisements would not look out of place, nor would they be unduly prominent in the street scene.
8. While the Council raises concerns about setting an undesirable precedent, given the scale of Selco Builders Warehouse in comparison to other buildings in the area, it is unlikely that any other buildings could accommodate the scale of advertisements proposed.
9. Consequently, taking all the above into consideration, the proposed advertisement would not harm the visual amenity of the area. I have taken into account Objective 9 of the Exeter Local Development Framework Core Strategy (2021) and Policy DG8 of the Exeter Local Plan First Review (2005), which collectively seek to ensure proposals do not harm the character of the area and are material in this case. Given that I have concluded that the proposal would not harm visual amenity, the proposal does not conflict with these Policies.
10. The Council also cites Core Strategy Policy CP17 and Local Plan Policies DG1(f), DG1(h) in its reason for refusal, however these refer specifically to development. Advertisements are not development in planning terms, therefore these policies are not directly relevant to the proposal before me. Nevertheless, as I have found no harm to amenity the proposal does not conflict with these Policies.

Other Matters

11. The proposal would introduce a new feature on the building, however it would be non-illuminated and set back from the road, with other signage closer to the road elsewhere. Therefore, I do not find that the introduction of this advertisement would result in undue risk of driver distraction or unacceptable impacts in respect of public safety.
12. The Council raises concerns that the proposed advertisements are unnecessary, however the Planning Practice Guidance sets out that consent cannot be refused for this reason (026 Reference ID: 18b-026-20140306).

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the five standard conditions.

L McKay

INSPECTOR