



Appeal Decision

Site visit made on 20 December 2022

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2023

Appeal Ref: APP/D1265/Z/22/3296299

Osprey Quay Service Station, Coode Way, Mereside, Portland, DT5 1FD

- 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 Falcon Retail Ltd against the decision of Dorset Council.
 - The application Ref: P/ADV/2021/04772, dated 15 November 2021, was refused by notice dated 10 January 2022.
 - The advertisement proposed is a freestanding roadside sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of the freestanding roadside sign 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 regulations¹.

Preliminary Matters

2. The regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach. I have taken account of the policies the Council considers to be relevant to this appeal insofar as they relate to amenity and public safety.
3. The freestanding roadside sign (the totem sign) has already been erected.

Main Issue

4. The main issue is the effect of the totem sign on the amenity of the area.

Reasons

5. The appeal site is located on the corner of Portland Beach Road and Coode Way. It forms part of an industrial estate and the area is therefore characterised by a range of commercial units of varying sizes. In addition, the southern end of Chesil Beach is a dominate natural feature immediately to the west of the site.
6. On approaching the site along Portland Beach Road, either from the north or the south, the totem sign is a reasonably prominent feature given that it is slightly taller than service station itself. A sizable mound separates the appeal site from the road. This shields the very bottom of the sign from view which reduces its overall visual impact. However, even if the mound were not there, the sign would not appear incongruous with the character of the area given

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

that it is located on the edge of an industrial estate. Indeed, because the sign is not dissimilar in height to some of the industrial units to the north of the site, its appearance is not visually dominant or intrusive. The overall impression is that this particular sign is of a similar height and appearance to many other such signs seen elsewhere.

7. As acknowledged by the Council, the proposal would not have an adverse impact with respect to public safety. In particular, I have no substantive evidence before me to suggest that the totem sign would negatively impact the safety of road users, or that the sign could be unsafe in inclement weather. This is therefore a neutral consideration, weighing neither for nor against the proposed advertisement.
8. I have concluded that the appearance of the sign does not cause harm to the amenity of the area. It is therefore in accordance with Policy ENV14 of the West Dorset, Weymouth and Portland Local Plan (2015), as well as paragraphs 134 and 136 of the Framework, which taken together, seek to ensure that advertisements do not have an adverse impact upon amenity and public safety.

Conditions

9. No non-standard conditions have been proposed by the Council and I consider that none are necessary. Given that the totem sign has already been erected, standard conditions 1 and 2, as set out in regulations, do not apply.

Conclusion

10. For the reasons given above I conclude that the totem sign is not detrimental to the interests of amenity or public safety. The appeal is therefore allowed.

C Butcher

INSPECTOR