
Appeal Decision

Site visit made on 17 January 2023

By Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2023

Appeal Ref: APP/L3245/Z/22/3311956

Starbucks, Thieves Lane, Shrewsbury SY2 6LG

- 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 Mr Mohammed Tayab of Euro Garages against the decision of Shropshire Council.
 - The application Ref 22/03962/ADV, dated 26 August 2022, was refused by notice dated 24 October 2022.
 - The advertisement proposed is 1 No. Non-Illuminated 8 mtr Totem Sign.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the proposal on public safety and amenity.

Reasons

Public safety

3. The totem sign would be double-sided and located close to the Emstrey roundabout, between the A5 and Thieves Lane (B4380) junctions. It would be around 8 m in height and non-illuminated. The sign would be sited next to the apex of an elongated triangle of land near a car dealership. The access to a service area with a petrol filling station and the Starbucks premises is around 400 m away on Thieves Lane. I found at my site visit that the access to the service area as a whole was not particularly well signed in the locality.
4. The Starbucks premises and petrol filling station cannot be easily seen from the roundabout or from some of its approach roads because of tree screening. The Starbucks premises have an existing totem sign which may be glimpsed behind roadside trees when viewed along Thieves Lane, but that sign is not clearly visible from the Emstrey roundabout. The proposed totem sign would not provide any details of the location of the Starbucks premises or how it could be accessed from the Emstrey roundabout.
5. The lack of directions and any visible relationship between the proposed sign and the Starbucks premises would be likely to cause driver uncertainty, distraction and last minute lane changing at this large and busy roundabout, with potential for affecting the free flow of traffic and vehicular accidents. I

therefore find that the proposed sign would be likely to have significant harmful effect on highway and public safety.

Amenity

6. The Council referred to the impact on amenity in its reasons for refusal but did not provide any detailed justification for this in the officer report, which was primarily based upon the consultee response from National Highways.
7. I note that, compared to a previously refused scheme, the totem sign would have no illumination. The proposed sign would be in a prominent position and would add to the general clutter of traffic lights, lamp standards and road signage at this location, but not to a level of harm which would be significant enough to refuse the application on amenity grounds alone. However, the harm to amenity does add weight to my decision.
8. The Council has cited policy MD2 of the Shropshire Site Allocations and Management of Development Plan and policies CS6 and CS7 of the Shropshire Local Development Framework Core Strategy in its reason for refusal. The Advertisement Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these development plan policies into account as a material consideration, they have not been a decisive consideration in my determination of this appeal.

Conclusion

9. I conclude that the proposed non-illuminated totem sign would have a significant harmful effect on highway and public safety. I have taken all other matters raised into account. For the reasons given above, I conclude that the appeal should be dismissed.

Martin H Seddon

INSPECTOR