Appeal Decision

Site visit made on 22 March 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/V2255/Z/22/3306661
Manor Farm, Key Street, Sittingbourne, Kent ME10 1YU

- 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 Miss Teresa Rolfe against the decision of Swale Borough Council.
- The application ref. 22/502679/ADV, dated 11 May 2022, was refused by notice dated 24 August 2022.
- The proposal is for a 2440mm x 2440mm signage board.

Decision

1. The appeal is allowed and express consent is granted for a 2440mm x 2440mm signage board as applied for at Manor Farm, Key Street, Sittingbourne, Kent ME10 1YU. The consent is subject to the five standard conditions set out in the Regulations and the following additional condition:

   1) The signage board permitted by this consent shall be removed from the site no later than six months from the date of this decision.

Preliminary Matter

2. At my site visit, I saw that the sign is in place and I note that the application has been submitted retrospectively.

Main Issues

3. The main issues in the determination of this appeal are the effect of the proposal on the visual amenity of the area.

Reasons

4. Amenity is not defined within the Regulations, nonetheless relevant factors include the general features of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the local area.

5. The appeal site comprises an expanse of rough grass, scrubland and trees and lies alongside Chestnut Street. In the vicinity of the site, the highway and its infrastructure has a dominant presence with a large roundabout, underpass, wide carriageways, directional signs, metal railings and lighting columns all in close proximity.

6. The sign is set on cylindrical supports and is of simple design. The white lettering is unfussy and set upon a darker background which is uniform in colour. Although large, it is set back from the main road and against a backdrop of trees and other vegetation. It would neither undermine views across the local landscape, nor would it appear overly prominent within the context of its setting, and I am mindful that permission is sought for six months only. On balance, I consider that the sign would not be materially detrimental to the visual amenity of the area.

7. In accordance with the Regulations, I have taken into account the provisions of the development plan in so far as they are relevant. Policies DM14 and DM15 of the Swale Borough Local Plan July 2017 and the provisions of the SPD seek to ensure advertisements respond positively to the character of a locality and minimise harm to amenity. As such, these are considered material considerations insofar as they are relevant to visual amenity.

8. I conclude, therefore, that the advertisement would not have a harmful effect on the visual amenity of the area. The scheme would meet with the objectives of the above policies.

Conclusion

9. For the reasons given above the appeal succeeds.

C Hall

INSPECTOR