



Appeal Decision

Site visit made on 6 June 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 15 June 2023

Appeal Ref: APP/H0928/Z/23/3317953

Factory and Premises, Mardale Road, Penrith, Cumbria CA11 9EH

- 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 Andrew Taylor of Jeld Wen UK Ltd against the decision of Eden District Council.
 - The application Ref 22/0394, dated 18 May 2022, was refused by notice dated 10 February 2023.
 - The advertisement proposed is described as 'a large sign on the south of our perimeter fence indicating the company name, loss time accidents and the direction delivery wagons must take to gain access to the site.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice describes the proposal as 'advertisement consent for an externally illuminated pole mounted sign'. The appellant's statement, however, states that originally it was illuminated but following discussion with the Council, the lights were removed. Therefore, as the description in the banner heading does not include illumination, I have determined the appeal on this basis.
3. The advert has been constructed and was determined by the Council as such. It includes a digital panel, which was operating at the time of my site visit indicating 'days since last lost time accident'. The appeal has, therefore, been determined on this basis.

Main Issues

4. The main issues are the effect of the advert on the amenity of the area and public safety.

Reasons

Amenity

5. The sign consists of a series of panels bolted onto metal posts to the rear and includes a large variety of information including the name of the company and their business, but also directional information for visitors and deliveries. Furthermore, it provides recruitment details, under a policy to try and recruit locally for its current level of 180 staff; and gives up-to-date information on accident figures to highlight their approach to health and safety.

6. Whilst the sign has received support from visitors and delivery drivers, it is extremely large, extending for 15 metres along the corner of a road junction, and being 2.4 metres high. Although it is located on the appellant's land, it is higher than the boundary fence to the rear of it, and as I saw on site, it appears from a distance, to be as high as the elevation of the building to the rear.
7. The position and scale of the sign, on the junction of Mardale Road with Haweswater Road, which is the main route through this large industrial estate, means that it is highly obtrusive. Its white background dominates the site from some distance when approaching this location. Although the purpose of signage is to locate buildings and businesses, and sometimes provide information, the size and scale of this sign on one of the main junctions within the estate is overly large. Although the appellant has stated that several signs near to the site are larger, or of similar size, examples of these signs have not been provided to compare with the proposal. Moreover, from my visit to the site and its surroundings, I did not see any signage of this scale and nature.
8. The industrial estate, as I saw on my visit, appeared to be well maintained and organised. The proposed advert is out of scale and overly large for its location, particularly when compared to other signage in the vicinity. Whilst the signage is within an industrial estate, it dominates the site and its surroundings and therefore harms the visual amenity of the area.
9. I have taken into account Eden Local Plan 2014-2032 (LP) Policies DEV5, which seeks to support high quality design and Policy EC5 which permits applications for the display of advertisements where the size of the sign and materials are appropriate to the location and will not have an adverse effect on either amenity of the locality or on public and road safety. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with LP Policy DEV5 and Policy EC5 in relation to the effect on amenity and paragraph 136 of the National Planning Policy Framework.

Public safety

10. The advert is located on the corner of Haweswater Road, which is the main route through the industrial estate. I noted at the time of my site visit that there was constant traffic, including large lorries, along Haweswater Road. The sign is located on a grassed area, set back from the pavement and provides guidance over which gate lorries need to enter the premises. The business, which has ten heavy goods vehicle deliveries from Europe every day, operates a one-way system for safety purposes. The signage has reputedly ensured that lorries enter the site at the correct gate, therefore preventing them having to reverse back onto the road, avoiding any road accidents as a result. Based on the width of the roads which are designed to accommodate large goods vehicles, and the size of the junction where the sign is located, the advert does not cause a distraction for users of the highway and harm public safety in this location.
11. I have taken into account LP Policy EC5 in respect of the effect of the advert on public and road safety, and it does not conflict with this policy.

Conclusion

12. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is dismissed.

M J Francis

INSPECTOR