

Appeal Decision

Site visit made on 27 June 2023

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 JUNE 2023

Appeal Ref: APP/P3040/Z/23/3317304

Land at Manor Park, Ruddington, Nottinghamshire NG11 6DS

- 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 Churchill Retirement Living Limited against the decision of Rushcliffe Borough Council.
 - The application Ref 22/01532/ADV, dated 29 July 2022, was refused by notice dated 10 February 2023.
 - The advertisement proposed is erection of 2 No. wall panel signs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposal from the Council's decision notice.

Main Issue

3. In accordance with the Regulations¹, I have considered solely matters of amenity and public safety. The Council raise no concerns with regard to public safety and I agree with this view. The main issue is the effect of the proposal on the amenity of the area, with particular regard to whether it would preserve or enhance the character or appearance of the Ruddington Conservation Area.

Reasons

4. The appeal proposal relates to two wall panel signs referred to as 'Sign A' and 'Sign D' on the submitted plans. Sign A is proposed on the western side of Wilford Road close to the junction with Manor Park, whilst Sign D is positioned on the southern side of Manor Park. The signage is intended to facilitate marketing of the retirement living apartments at the Manor Lodge development.
5. The site is within the Ruddington Conservation Area (the CA) which comprises a large and diverse area. I consider that it derives its significance from this rich diversity, which includes a compact village core and several historic buildings. Manor Park is a residential area characterised by attractive Edwardian houses within large plots, mature trees and high stone walls. These features contribute positively to the character and appearance of the CA. Wilford Road is of mixed character with some commercial premises and a more dense enclosed feel. Regulation 3 states that matters relevant to consideration of amenity include the general characteristics of the locality including features of historic, architectural, cultural or similar interest.

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

6. Sign A would be positioned against a fence at the back edge of the pavement with a backdrop of mature trees. The size of Sign A means that it would be prominent in views along Wilford Road. It would stand out as an obtrusive and unsympathetic feature. There are few other signs on this stretch of Wilford Road and those that do exist tend to relate to the use of the premises on which they are displayed. Due to its siting some distance away from the Manor Lodge development, Sign A would appear out of context in its setting.
7. Sign D is already in place. It is mounted on posts above a stone wall with a timber fence behind. It is of significant size being 10 metres in overall width. Due to its size and siting, including the way that it projects above the height of the adjacent fence, this sign is a highly prominent feature when travelling along Manor Park. The appellant contends that there is limited movement of people and vehicles on Manor Park. However, although only a snapshot in time, at the time of my site visit at around mid-morning on a Tuesday there was a steady flow of both pedestrians and vehicles. I have taken into account that the sign does not obscure the boundary wall. Nevertheless, in this location the sign is overbearing within the street scene and appears as an unduly conspicuous feature in the context of the attractive residential setting.
8. I note that the number of signs proposed has been reduced since a previous application and that they are not illuminated. However, these factors do not alter my view that the scale and design of the signage would be harmful to the visual amenity of the area. The use of a heritage colour palette and matt sheen finish for the signs would not mitigate the harm identified.
9. I acknowledge that the signs would be in place for a temporary period only, but I conclude that they would cause harm to visual amenity during this period. I also accept that signage may need to be prominent in order to achieve what it is intended to do. However, for the reasons stated above, I consider the signs to be incongruous features and their prominence would lead to unacceptable harm to the visual amenity of the area including the CA.
10. In this case the harm would be less than substantial. The appellant contends that without the proposed signage the sales rate of the retirement living apartments will be affected which would be likely to result in the appellant seeking to vary the section 106 agreement to reduce the affordable housing contribution. However, in this case, alternative or more sensitively designed signage could deliver similar benefits, without necessarily causing harm to the heritage asset. There is no substantive evidence before me that the absence of signage on Wilford Road poses a highway safety risk due to potential buyers being unable to find the Manor Lodge development. Consequently, these factors do not outweigh the less than substantial harm to the CA.
11. For the above reasons, I conclude that the signage would harm the amenity of the area and would neither preserve nor enhance the character or appearance of the CA. It would not comply with Regulation 3, or paragraph 136 of the National Planning Policy Framework which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

M Ollerenshaw - INSPECTOR