

Appeal Decision

Site visit made on 27 June 2023

by Les Greenwood MRTPI

an Inspector appointed by the Secretary

Decision date: 31 July 2023

Appeal Ref: APP/P0240/Z/23/3314305

76A Katherine Drive, Dunstable, Central Bedfordshire LU5 4NU

- 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 Reliable Law Services against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/03671/ADV, dated 14 September 2022, was refused by notice dated 12 December 2022.
 - The advertisement proposed is erection of a free-standing sign (retrospective).
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Decision

1. The appeal is dismissed.

Main Issues

2. Advertisements are subject to control in the interests of amenity and public safety only. There is no safety objection here. The main issue is the effect of the proposed sign, which is already in place, on the visual amenity of this part of Katherine Drive.

Reasons

3. Planning permission was granted on appeal in 2018 to change the garage at the semi-detached house 76 Katherine Drive to its current use as a law office, now addressed as 76A. This part of Katherine Drive is a suburban residential street with trees along a central reservation giving it a pleasant, open and green character. The appeal sign is a free standing, unilluminated 2.36m high sign board in the front garden, advertising the law firm. There are also 2 signs on the front wall of the building.
4. Whilst it is reasonable for the law firm to use signage to identify the property to clients and advertise its services, the height and size of this particular sign intrudes on the residential, open character of this part of Katherine Drive – particularly in its prominent streetside location and in combination with the other 2 signs at the property. The sign's height and size are not justified by the need to show visiting clients where the premises are. The overall effect is a cluttered, commercialised frontage that sits poorly within its immediate context.
5. Although there is a pub and a parade of shops with extensive signage just down the road, these establish their own character area and therefore sit in a

much different context. I also note the examples of other commercial signs put forward by the appellant. I do not, however, know the background or setting of those signs, some of which serve very different types of business. I have assessed this proposal on its own merits.

6. I conclude that the proposal unacceptably harms the visual amenity of this part of Katherine Drive. In making this decision, I have had regard to policy HQ1 of the Central Bedfordshire Local Plan 2015-2035, which aims to ensure that all development is high quality and reinforces local distinctiveness. I have also taken account of the presumption in favour of sustainable development set out in Section 2 of the national Planning Policy Framework. Powers under the advertisement regulations may, however, only be exercised in the interests of amenity and public safety, taking account of material factors such as adopted policies which are not by themselves decisive.
7. For the reasons set out above, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR