



Appeal Decision

Site visit made on 24 July 2023 by A Coombes

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st August 2023

Appeal Ref: APP/F2605/Z/23/3316734

A134 prior to roundabout, A11, Thetford IP24 1BH [586400, 285190]

- 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 Marketing Force Limited against the decision of Breckland Council.
 - The application Ref 3PL/2022/1276/A, dated 15 November 2022 was refused by notice dated 9 January 2023.
 - The advertisement proposed is 1 x static non-illuminated advertisement.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The control of advertisements is exercisable only with respect to public safety and amenity. Regulation 3 states that powers in this regard shall be exercised taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issue

4. The main issue is the effect of the proposed scheme upon amenity.

Reasons for the Recommendation

5. The National Planning Policy Framework (Framework), cautions that the quality and character of places can suffer when advertisements are poorly sited and designed. The appeal site is a grass verge, located on approach to the A134/A11 roundabout. The surrounding area is predominantly rural and characterised by open countryside. Whilst there are some commercial properties in the surrounding locality, commercial signage is limited.
6. The advertisement would be prominently located and although non-reflective and relatively low in height, it would nevertheless be of a scale that would appear out of character with the open countryside setting. Although there is some vegetation in the area, it is intermittent so does not provide a consistent backdrop for the proposed sign. While signs of this size are not uncommon on highways, they are typically highway signs rather than commercial

- advertisements. Due to its size and commercial nature, the advertisement would be an incongruous addition that would harm the amenity of the area.
7. On the site visit I observed other examples of advertisements within the area. However, there is no substantive evidence before me that these advertisements benefit from consent. Furthermore, some are for temporary events and others appear temporary in nature or are on moveable structures. Consequently, these examples are materially different to the proposed scheme, which seeks consent for ten years, and do not justify the harm that would result from this proposal.
 8. The appellant suggests a condition to require removal of the advertisement if it were not utilised, however no wording has been put forward and it is difficult to see how such a condition could be worded to be reasonable. Furthermore, the appellant's evidence indicates that similar signs installed as part of a sponsorship scheme with Norfolk County Council have a very high occupancy rate. In the unlikely event of the sign being vacant, the size and prominence of the display and structure would still result in some harm to the amenity of the area. A condition would not therefore address the harm identified.
 9. I have taken into account Policy EC 08 of the Breckland Local Plan (BLP), adopted 2019, which requires that advertisements and signs are sensitively designed and located, and so is material in this case. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with this policy. I have also had regard to BLP Policy COM 01. This policy refers to development however, and advertisements are not development for the purposes of planning legislation, so they are not directly relevant to the proposal before me. Nevertheless, there would be conflict with the elements of the policies which seek good design.

Other Matters

10. The appellant has provided information relating to the intended users of the advertisement display and the potential economic benefits to the local area. However, in line with the Framework, advertisements should be subject to control only in the interests of amenity and public safety. Therefore, these potential benefits do not justify the harm identified.
11. I note the comment from Thetford Town Council regarding the impact of the advertisement on public safety. However, I understand that the appellant has been working with Norfolk County Council Highways to identify this site, alongside others, as one which could host an advertisement without detriment to public safety.
12. The sign would be static, low to the ground, and located where there is no infringement on highway sight lines or designated footway or pedestrian routes. It would not be illuminated or reflective and the content would be easily assimilated by drivers, therefore it would not result in undue distraction. Furthermore, the appellant has proposed measures to ensure that construction and maintenance of the site will be safe, secure, and quick. I therefore find no harm in relation to public safety. Nonetheless, this would not sufficiently mitigate against the harm that has been found to the amenity of the area.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report. For the reasons set out above I agree that while the proposed advertisement would not harm public safety, it would harm the amenity of the area. On that basis the appeal is dismissed.

L McKay

INSPECTOR