



Appeal Decision

Site visit made on 26 September 2023

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd November 2023

Appeal Ref: APP/L3245/Z/23/3319649

Griffiths Tool Hire, Maes Y Clawss Ind Est, Shrewsbury Road, Oswestry SY10 8NU

- 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 N Willcock of Now Display against the decision of Shropshire Council.
 - The application Ref 22/05588/ADV, dated 12 December 2022, was refused by notice dated 7 February 2023.
 - The advertisement proposed is described as "proposed digital advertising screen outdoor advertising."
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The National Planning Policy Framework (the Framework) was updated in September 2023. As the updates do not affect that part referred to by the parties, it has not been necessary to consult them further.

Main Issue

3. The council raised no objection in relation to public safety or aural amenity, subject to conditions, and from the submitted evidence I have no reason to disagree with those findings. Consequently, the main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

4. The proposed advertisement would be located on a parcel of land close to the Griffiths Tool Hire building which itself is located next to the vehicular access to the Maes Y Clawss Industrial Estate. The industrial estate is located on the outskirts of Oswestry and is accessed via the B4579 which is one of the main thoroughfares into Oswestry. The industrial estate is commercial in character however, the land on opposite the B4579 is open countryside.
5. Along this section of the road there are advertisements related to the uses within the industrial estate as well as highway signage. Whilst several of these advertisements are quite tall with the intention of attracting the attention of passing drivers, they are relatively narrow as would typically be expected of totem pole advertisements. Within the industrial estate itself there are large advertisement hoardings although these are generally located on, or in front of buildings.

6. The proposed advertisement would be a substantial free-standing digital display, supported on poles and given the change in ground levels the advertisement would appear taller than the adjacent Griffiths Tool Hire building.
7. Whilst the site is located at the edge of an industrial estate where advertisements are not uncommon, the site itself is in a prominent position next to the B4579 and there is a pedestrian footpath that passes the site. Given the significant height and width of the advertisement it would loom over the footpath and Griffiths Tool Hire building and would be unduly imposing in the street scene, especially when viewed in the pedestrian environment. Even when viewed in this commercial setting, because of the siting and scale, I find that the display would be an overbearing visual feature.
8. There are other advertisements within the industrial estate which are visible along the B4579, however they are typically set further back from the highway and not as large as that proposed. The other larger advertisements are not generally in such a prominent position as they are located further within the estate. Accordingly, their contexts are different to that proposed.
9. The proposal is located next to an industrial estate where advertisements would not necessarily appear out of character. However, the display would not be a positive addition because it would be harmful to the visual quality of the commercial environment as well as the more rural landscape opposite the site.
10. For the reasons outlined above, the proposed digital advertisement would be unacceptably harmful to the visual amenity of the area. The proposal would therefore conflict with paragraph 136 of the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.
11. I have taken into account Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan. These seek, amongst other matters, to protect visual amenity and so are material in this case. The proposal would harm the visual amenity of the area and as a result it would conflict with these policies.

Other Matters

12. I note the representations received regarding highway safety concerns. However, given that I am dismissing the proposal the harms alleged would not arise. As these matters could not affect the outcome of the appeal, I have not considered them further.

Conclusion

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

G Sibley

INSPECTOR