



Appeal Decision

Site visit made on 15 May 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2024

Appeal Ref: APP/J0405/Z/23/3335543

**Stoke Mandeville Autocentre, Lower Road, Stoke Mandeville, Aylesbury
HP21 9DR**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Stoke Mandeville Autocentre against the decision of Buckinghamshire Council.
 - The application Ref is 23/02694/AAD.
 - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. The appeal site is on the eastern side of Lower Road, one of the main routes into Aylesbury from the south. The area is characterised by a mix of commercial and residential development which, in the main, is set well back from the highway.
4. The general absence of bulky or tall structures near the highway contributes positively to the character and appearance of the local area by providing coherence to the different sites along this part of Lower Road and a spacious, open feel.
5. The appeal site is recognisably commercial, with a tall, metal front boundary fence and a range of existing signage. Nevertheless, it adheres with, and contributes to, local character in that the front portion of the site is undeveloped and largely open.
6. The proposed advertisement would be near the highway, oriented broadly northwards. The linear and open layout of this section of Lower Road, and the open backdrop to the proposed advertisement, mean it would be readily and constantly visible to southbound travellers along a significant section of Lower Road, and also when viewed from nearby homes, particularly those on Atlanta Way.

7. The advertisement would be some 6.4m wide and 3.4m tall, and positioned well over 2m from the ground so as to be visible above the existing boundary fence. As a result, it would introduce a dominant, obtrusive presence into the largely open space at the front of the appeal site, contrary to the pattern of development in the local area, and incongruous in its setting. The visual intrusiveness and incongruity of the advertisement would be accentuated by its highly prominent position.
8. Due to its significant height and width, and its prominent position, the advertisement would constitute an intrusive addition, at odds with the prevailing layout and scale of development adjacent to Lower Road, and harmful to the character and appearance of the area as a result.
9. I appreciate that the proposed advertisement would replace an existing one, but the current sign is much smaller than the proposed one, and the impacts of each are significantly different.
10. I also appreciate that the proposed advertisement would not contain moving images, and that the degree and timing of illumination could be controlled to mitigate its impact. Nevertheless, a condition in that form would not overcome my concerns regarding the proposal's size and position.
11. For the reasons given above, I find that the proposed scheme would harm the visual amenity of the area.
12. In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the provisions of the development plan, insofar as they are relevant, have been considered.
13. Given I have concluded that the proposed advertisement would harm the amenity of the area, the scheme would not meet with the aims of Policy BE2 and BE3 of the Vale of Aylesbury Local Plan. These seek, amongst other things, to ensure that development proposals respect and complement the physical characteristics of the site surroundings and the distinctiveness and vernacular character of the locality, and also that they cause no unreasonable harm to residential amenity.
14. For the same reason, the proposal would also be contrary to the provisions of paragraph 141 of the National Planning Policy Framework which states, amongst other things, that the quality and character of places can suffer when advertisements are poorly sited.

Other Matters

15. I appreciate that the advertisement would incorporate modern efficiency and sustainability standards, but these benefits would not overcome the scheme's scale and prominence.
16. The appellant has drawn my attention to other advertisements that have received consent from the Council or been allowed at appeal. Though the appeal scheme shares some characteristics with those other advertisements, in both examples the setting differs from that of the appeal proposal, lacking the consistent openness adjacent to the highway that characterises this section of Lower Road. Therefore, the appeal scheme can be clearly distinguished from the others referred to.

Conclusion

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

A Knight

INSPECTOR