



Appeal Decision

Site visit made on 24 September 2024

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2024

Appeal Ref: APP/X1545/Z/24/3344242

Howells Farm, Unit 3, Maypole Road, Great Totham, Essex, CM9 4SY

- 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 Ms J Cole against the decision of Maldon District Council.
 - The application reference is ADV/MAL/24/00051.
 - The development proposed is advertisement consent for 3 no. non-illuminated signs.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the amenity of the area.

Reasons

3. The appeal site is located in a rural, countryside, location adjacent to an access which serves Howells Farm and Howells Farm Cottages. At the time of my site visit I noted that the buildings at Howells Farm are utilised by varying businesses with other signage, at the site, advertising other businesses on site as well as there being a sign for Howells Farm itself. The proposal before me seeks advertisement consent for three non-illuminated signs which are shown, on the submitted plans, as sign A and sign B, respectively. Sign A would be a double-sided sign located on the northern side of the access (and thus has been submitted as two signs) and sign B would be a single sided sign on the southern side of the access. The proposed advertisements are intended to be in connection with one of the businesses operating at Howells Farm.
4. I note that the appellant's Statement of Case makes reference to accompanying email correspondence with the Council, however, this does not appear to have been uploaded with the appeal submission. I note that there has been no objection relating to highways safety and indeed the Council's reason for refusal is based solely upon the amenity of the area and not highway safety. Whilst it is stated that signs have been in place for over 17 years of varying designs and sizes, no further information has been provided and notwithstanding that it falls to consider the proposals which are before me within this appeal on their own merits regardless of a lack of compliant to date.
5. In determining applications for express consent there are only two issues which may be considered, and this includes the interest of amenity. Amenity can reasonably be considered to refer to the effect upon the visual amenity in the vicinity. Ultimately, the objective of planning policy, at both local and national level, is to prevent poorly placed advertisements which could have a negative

impact on the character appearance of the built and natural environment. The National Planning Policy Framework 2023 (the Framework) notes that quality and character of places can suffer when advertisements are poorly sited or of poor design.

6. At the time of my site visit I found that the southern side sign appears to have already been erected. There were also further signs in the immediate area, at the point of access to the business units, relating to other businesses at Howells Farm. Based upon my site visit, and having accessed from Maypole Road, I consider that the level and number of signs proposed would be excessive. The surrounding area is visually rural with limited, immediate, built form. I find that there is no reasonable requirement, nor justification put forward, for both the double-sided sign as well as the single sided sign to be located either side of the access track. The double-sided sign alone would, for example, be clearly visible when approaching from the north and south.
7. In addition, I have concern as to the overall size of the signage proposed and as shown and described, in terms of dimensions, within plan reference P01 (project number 2571). Both sets of signage (with sign A being created by two signs) would have a width in the region of 2 metres with heights (signage only) in the region of 1.25 metres and 0.6 metres, respectively. Cumulatively, taking into account the height from the ground to the base of the advertisement, the proposed V shaped sign would have an overall height in the region of 2.2 metres with the width in the region of 2 metres. Whilst I note that the plans outline that the sign would be set back 5 metres from the road, I find that the number of signs, and scale of the proposed signage would be inappropriate and visually excessive for this countryside location.
8. The proposed advertisements, as a result of their size and number, I find would result in a proliferation of advertisements for a single enterprise which would result in visual clutter and would result in proposals which would be out of character with the countryside location. They would result in an urbanising impact and appear visually cluttered. I find that this in turn would be harmful to the amenity of the countryside location as the signage would be incongruous with the immediate surroundings.
9. The proposal would be contrary to Malden District Local Plan 2017 Policy D6 which requires that the design and location of advertisements respects the scale and character of the surrounding area and that any proposals will not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise. The proposal would also be contrary to the Framework 2023 which outlines, within paragraph 141, that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control in the interests of amenity taking account of cumulative impacts.

Conclusion

10. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Marshall

INSPECTOR