



Appeal Decision

Site visit made on 27 October 2024

by A Hartley, LLB(Hons), Solicitor, MBA

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/F3545/Z/24/3341807

Land adjacent to Stone House Farm, Cretingham Road, Ashfield cum Thorpe, Woodbridge, Suffolk IP13 7RR

- The appeal is made under Regulation 17 of the Town and Country Planning Act (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Denbury Homes Limited against the decision of Mid Suffolk District Council.
 - The application Ref is DC/23/05407.
 - The advertisement proposed is 1 no. free-standing advertisement sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The original application sought consent for 2 No. advertisement signs. The appellant wishes to amend the appeal proposal to 1 No. advertisement sign and remove Sign B. The Council has not commented on this. As the change reduces the impact of the proposal I do not consider the amendment would prejudice any of the parties and I have determined the appeal on the basis of the amended proposal.
3. The Council's reason for refusal refers to the proposal conflicting with its development plan. However, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the development plan into account insofar as it is relevant, and the National Planning Policy Framework, they have not been decisive considerations in my determination of this appeal.

Main Issue

4. It is agreed between the parties that there is no unacceptable impact on public safety. I have no reason to disagree. The main issue is therefore the effect of the proposal on public amenity.

Reasons

5. Planning Policy Guidance at paragraph 079 acknowledges that "amenity" is not defined in legislation, but states that it includes the effect on visual amenity in the immediate neighbourhood where passers by will be aware of the

- advertisement. The existing character of the immediate area should therefore be assessed to determine the level of impact caused by the proposal.
6. The appeal site comprises an agricultural field adjacent to the A1120. There are public rights of way in the vicinity. A group of trees would provide the backdrop to the proposed site for the advertisement. The area is surrounded by agricultural fields and there do not appear to be any nearby residential dwellings.
 7. The scale size and siting of the advertisement would be such that it would be highly prominent within the surrounding area. Although there would be a backdrop of trees to the sign, they appear to be deciduous and therefore any limited screening they provide would be further reduced when not in leaf. There are no other advertisement signs within the view when travelling along the A1120 and therefore the sign would present a stark feature out of keeping with the unspoilt character of the surrounding countryside. This would have an adverse impact on the visual amenity of the area.
 8. Limiting the consent to two years would not overcome the harm caused to the visual amenity of the area. Although the advertisement may provide some economic benefit to the appellant's business, I am not persuaded that this justifies the harm caused to visual amenity. Overall I consider that the proposed sign would make a significant negative difference to the existing character of the area due to the incongruous stark appearance within an area of unspoilt countryside.
 9. My attention has been drawn to other advertisements, however, these are not within the vicinity or context of the proposal before me and consequently I have attached very limited weight to these in my deliberation.

Conclusion

10. For the reasons given above, I conclude that the display of the advertisement would be detrimental to amenity and the appeal should be dismissed.

A Hartley

INSPECTOR