



Appeal Decision

Site visit made on 10 November 2024

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

an Inspector appointed by the Secretary of State

Decision date: 26 November 2024

Appeal Ref: APP/L2630/Z/24/3343299

Brooke Lodge, Norwich Road, Norwich NR15 1JG

- 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 Gordon Selvage against the decision of South Norfolk District Council.
 - The application Ref is 2023/3122.
 - The advertisement proposed is a double sided non-illuminated free standing sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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.
3. The proposed advertisement would be in the proximity of a Grade II listed building, Brooke Hall Farm. I have had special regard to the desirability of preserving its setting in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The advertisement location is within the County of Norfolk (Area of Special Control) Order 1961.

Main Issue

5. 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

6. 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.

7. The proposed advertisement would be located at the side of the B1332 Norwich Road, within a section of unrestricted speed limit. It would be within an open countryside area characterised by trees and hedging. There is a lesser extent of trees and hedging at the location of the advertisement, giving rise to open countryside views.
8. The scale, size and siting of the advertisement would be such that it would be highly prominent within the surrounding area, notwithstanding the lower level of the land to the highway and the provision of gaps between the advertisement panels in the design. 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 this part of the B1332 Norwich Road 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.
9. Although the advertisement may provide some economic benefit to the appellant's businesses, I am not persuaded that this justifies the harm caused to visual amenity by the impactful signage sought by the appellant. 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.
10. My attention has been drawn to other advertisements. In relation to Octagon Barn, I find that this is not within the vicinity, or rural countryside context of the proposal before me so as to be comparable. I find that Brooke Industrial Park is of a different scale and character to the Brooke Farm businesses. Further I have insufficient information before me as to the legal status of the Industrial Park sign. Consequently I have attached very limited weight to these examples in my deliberation.

Heritage Asset

11. The proposed advertisement sign would be located adjacent to the curtilage of the Grade II listed building, Brooke Hall Farm, within land under the same ownership. Even if it is considered to be within the setting of this heritage asset, due to the extent of trees and hedging, together with the distance from the listed building, the advertisement would have a neutral impact on the significance of the heritage asset and its setting.

Conclusion

12. Overall, I conclude that the display of the advertisements would be detrimental to amenity and the appeal should be dismissed.

A Hartley

INSPECTOR