



Appeal Decision

Site visit made on 9 January 2025

by **Alexander O'Doherty LLB (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/M1710/Z/24/3348819

Land at Louisburg Avenue and Farnham Road, Bordon GU35 0NH

- 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 DIO/WBRC against the decision of East Hampshire District Council.
- The application Ref is 55587/233.
- The advertisement proposed is installation of a billboard sign.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice refers to matters of prematurity and precedent. However, the 2007 Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety. I have determined the appeal accordingly.

Main Issues

3. The main issues are the effect of the proposed advertisement on amenity and public safety.

Reasons

Amenity

4. Whilst amenity is not defined exhaustively within the 2007 Regulations, the Planning Practice Guidance (PPG) provides that, amongst other things, the Local Planning Authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the Local Planning Authority would consider whether it is in scale and in keeping with these features¹.
5. The appeal site comprises an area of vegetation land located to the north-west of a roundabout. I observed that the area around the roundabout is well-treed. The roundabout itself is mostly laid to grass and also contains trees, which reinforces the highly verdant nature of the locality which prevails despite the presence of the roads adjoining the roundabout. The wider area forms part of an area previously granted planning permission for a residential-led mixed-use development².

¹ Paragraph 18b-079-20140306

² 55587/001

6. Paragraph 141 of the National Planning Policy Framework (the Framework) provides that, amongst other things, the quality and character of places can suffer when advertisements are poorly sited. In this regard, although the proposed advertisement would not be overly-large, its presence as an isolated advertisement structure situated amongst vegetation and in-front of a backdrop of mature woodland would undermine the verdant appearance of the area. Moreover, due to the absence of similar structures near the roundabout and its slightly elevated position with its principal frontage directly overlooking the roundabout, it would stand out to drivers and nearby pedestrians as an incongruous and noticeably alien feature in its context. Harm to the amenity of the area would result.
7. I therefore find that the proposed advertisement would have an unacceptable and harmful effect on amenity. I have taken account of Policy CP29 of the East Hampshire District Local Plan: Joint Core Strategy (adopted 2014) (Core Strategy) and Policy HE3 of the East Hampshire District Local Plan: Second Review (adopted 2006) (Local Plan) which collectively provide that, amongst other things, permission will not be granted for advertisement displays which adversely affect the character, quality and appearance of the locality, which are material policies in this case. Given that I have found that the proposed advertisement would harm amenity, the proposed advertisement would conflict with these policies.

Public safety

8. The proposed advertisement would be set well-back from the edge of the carriageway. Considering this, and its fairly limited scale, the proposed advertisement would not pose a risk to highway safety, including for drivers traversing the roundabout from north to south.
9. Hence, the proposed advertisement would have an acceptable effect on public safety. I have taken account of Policy CP31 of the Core Strategy and Policy HE3 of the Local Plan which collectively provide that, amongst other things, permission will not be granted for advertisement displays which fail to respect public safety. In relation to this main issue, the proposed advertisement would not conflict with these policies.

Other Matters

10. The finding on the 2nd main issue above, in relation to public safety, is not a matter which is capable of overcoming the finding on the first main issue.
11. Reference has been made to the content of the proposed advertisement, to a land use parameters plan³, and to a Regulation 18 plan. However, this appeal relates to the proposed advertisement itself - that is, the proposed billboard sign. The proposed content of the sign, including what it is intended to promote / advertise, is not a matter which weighs either for or against the proposed advertisement. Mention has been made of the possibility of signage being erected under deemed consent, and to the business need for the sign, including its economic benefits to the local area. However, as mentioned above, the 2007 Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety. None of these matters change my findings on the main issues above.

³ Drawing No. RG-M-102 (Rev. L)

Conclusion

12. For the reasons given above, having considered all relevant material considerations (including the representations of all interested parties), I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR