
Appeal Decision

Site visit made on 28 January 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th February 2025

Appeal Ref: APP/P3040/Z/24/3349966

178 Loughborough Road, Ruddington, Nottinghamshire NG11 6LF

- 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 Mr Marc Sanders against the decision of Rushcliffe Borough Council.
 - The application Ref is 24/00701/ADV.
 - The advertisement proposed is 1no. externally illuminated V post sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application originally sought consent for the display of 1no. externally illuminated fascia sign and 1no. externally illuminated V post sign, which is referred to in the application form. However, during the course of the application the fascia sign was omitted from the scheme. I have therefore referred to the amended proposal in the banner above.
3. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
4. The Regulations¹ and the Framework state that advertisements should be subject to control only in the interests of amenity and public safety. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest². The statutory duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies insofar as it relates to the consideration of 'amenity'.

Main Issue

5. The Council have raised no concerns with regard to the effect of the advert on public safety and, given the siting, scale and nature of the advertisement, I have no reason to disagree with their conclusions. Therefore, the main issue is the effect of the advertisement on the amenity of the area.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

² Regulation 3(2) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Reasons

6. The appeal site is located on Loughborough Road, which is a busy arterial route leading to/from Nottingham. The site lies on the edge of Ruddington with the surrounding area comprising largely detached dwellings, set back from the public highway, behind well vegetated front gardens and hedgerow boundaries. The opposite side of Loughborough Road has an open character comprising of fields and a school set within large grounds. The edge of settlement location, along with the landscaped frontages provide a semi-rural character to the area. There is an established commercial use at the site, although the site retains strong residential characteristics. A fascia sign is attached to a single storey projection from the front of the building. There are a number of road and traffic signs in the area, however the immediate visual context is largely free from any other commercial advertisements.
7. The site lies within the Ruddington Conservation Area (the RCA). Insofar as relevant to this appeal the significance of the RCA derives from predominantly detached properties set within generous plots that are heavily influenced by established mature landscaping and hedgerows. This provides for an attractive, verdant and semi-rural character to this part of Loughborough Road and the RCA. The appeal site and its surrounding properties contribute positively to this character.
8. The proposed advert relates to a two-sided V-shaped sign. The sign would be positioned on the frontage of the site, just behind the boundary hedgerow. As such, it would be sited in a prominent position, highly visible from the surrounding area to both road users and pedestrians. The forward position, and width of the sign, would result in further commercial encroachment into an otherwise residential area particularly in views towards the site along Loughborough Road. This additional commercialisation of the site, along with the design of the sign, with its hard edges and metal fabrication, would appear as a stark addition to the site which would contrast markedly with the sylvan semi-rural setting of the site and its surroundings. Furthermore, the V-shaped design means that the sign would have width and coverage across the site frontage which would only serve to enhance its prominence and extent of visual erosion. The incongruity of the sign would also be apparent during the night-time where its illumination, particularly given its design and overall width, would appear as an alien addition to its residential surroundings and semi-rural character.
9. Therefore, I find that the advert would unacceptably erode the sylvan character of this part of Loughborough Road which are elements which contribute positively towards the significance of the RCA. This would be to the detriment of the character and appearance of the RCA and general visual amenity of the area.
10. I have taken into account the provisions of the development plan insofar as they are relevant to visual amenity. Together, Policies 10 and 11 of the Rushcliffe Local Plan Part One: Core Strategy (2014) and Policies 1 and 28 of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019), amongst other things, require proposals to be sympathetic to the character of an area, and conserve or enhance heritage assets. As the advertisement would be harmful to amenity, it would not accord with the policies of the development plan.

11. The appellant has suggested benefits of the advert including highlighting the location of the business, which would be to the benefit of the appellant and their customers. However, the Regulations state that advertisements should be subject to control only in the interests of amenity and public safety, and alongside the Framework and the PPG, there is no indication that any of these suggested benefits can be taken into account.

Conclusion

12. For the reasons given above the appeal should be dismissed.

D Cleary

INSPECTOR