



Appeal Decision

Site visit made on 17 March 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 APRIL 2025

Appeal Ref: APP/B3030/Z/24/3355541

Land South of Station Road and East of Nottingham Road, Thurgarton

- 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 Nikki Whitelaw of Hoveringham Mammoth Self Store Limited against the decision of Newark and Sherwood District Council.
 - The application Ref is 24/01565/ADV.
 - The advertisement is described as retrospective application for 3no trailer signs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I noted from the evidence that the trailer signs are in place, which was confirmed by my site visit observations. The trailer signs appear to have been erected in-line with the plans before me.
3. Under the above Regulations, powers to control advertisements are to be exercised only in the interests of amenity and public safety, taking account of the provisions of the development plan, so far as they are material and any other relevant factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach, with the Framework adding that cumulative impacts can be considered.
4. The Council has referred to development plan policies in its reason for refusal, which I have taken account of only as far as they relate to the issues of amenity and public safety.
5. The Council has not raised public safety as an issue and there is no substantive evidence before me to question that. Public safety will therefore not be taken into consideration in my deliberations.

Main Issue

6. The main issue is the effect of the proposed advertisements on the visual amenity of the site and the surrounding area.

Reasons

7. The appeal site is located within a large, predominantly flat, agricultural field at the junction between Nottingham Road and Station Road. Some large residential properties, within extensive plots, sit on the opposite side of Nottingham Road.

However, these are outliers, with the site being located outside of the village of Thurgarton and the surrounding area being very much rural in character. An industrial area is located a substantial distance from the appeal site, along Station Road, which is only partially visible from the appeal site and its immediate surroundings due to being obscured by trees and vegetation. A mature hedgerow borders the field to Nottingham Road and Station Road.

8. A trailer has been situated within the appeal site and high boards erected to each side. Three sides have colourful advertisements on them, with large writing, graphics and photographs, and the fourth is plain black.
9. Due to their significant height, scale and massing, the trailer signs are overly dominant features within a setting that is devoid of commercial advertisements and signage. Only some much smaller general highway related safety and directional signage is present in the surrounding area at the road junction. The configuration of the advertisements creates a large box feature that is incongruous within its open rural and agricultural setting. Furthermore, the colourful and cluttered advertisements add to the sense of discordancy.
10. It may be the case that some signage has been in-situ for a period of time. However, this does not prevent the current advertisements from being harmful to amenity.
11. It does not appear to be disputed that the appeal site is outside of the Thurgarton Conservation Area, and therefore section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 is not engaged. However, I have had regard to the character and appearance of the site surrounds in my assessment of amenity.
12. For the above reasons, I find that the trailer signs have a harmful effect on the visual amenity of the site and surrounding area, which is discernible along a moderate length of Nottingham Road in both directions from the site, and a limited section of Station Road.
13. I have taken account of the provisions of Core Policy 9 of the Newark and Sherwood Amended Core Strategy (2019) and policy DM5 of the Newark and Sherwood Allocations and Development Management Development Plan Document (2013). The policies seek to ensure, amongst other matters, that proposals requiring advertisement consent reflect the rich local distinctiveness of the district's landscape, and so are material in this case. Given that I have concluded that the proposal would harm visual amenity, the proposal conflicts with these policies.

Other Matters

14. The appellant directs me to consider the benefits of the advertisements as directional signage to their property, and as a mechanism for supporting a rural business. However, paragraph 141 of the Framework makes it clear that advertisements should be subject to control only in the interests of amenity and public safety, and I am therefore unable to take private business interests and benefits into account in determining this appeal.

Conclusion

15. For the reasons given above, and having regard to all matters raised, I conclude that the advertisements harm visual amenity and the appeal should be dismissed.

L Fern

INSPECTOR