



Appeal Decision

Site visit made on 29 March 2025

by **J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 23 April 2025

Appeal Ref: APP/N1540/Z/24/3354140

The Water Gardens, Haydens Road, Harlow, Essex CM20 1AR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Abrdn against the decision of Harlow Council.
 - The application ref is HW/ADV/24/00261
 - The advertisement proposed as indicated on the Application form is a 'digital display board.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I am required by the Regulations¹ to exercise my power in the interests of amenity and public safety. The Council raise no concern in respect of public safety and in this case, the issue of amenity relates to visual effects. Factors relating to amenity include the general characteristics of the locality, including the presence of any features of historic, architectural, and cultural interest. This is reflected by paragraph 141 of the National Planning Policy Framework (the Framework) and National Planning Practice Guidance (NPPG).²

Main Issue

3. Taking the above into account, the main issue is the effect of the proposed advertisement upon the amenity of the area.

Reasons

4. The appeal site comprises of land located along the road edge at the junction of Haydens Road and A1025 Third Avenue which at the point of the appeal site the signage would front onto a round-a-bout. Third Avenue is one of the main estate roads which runs around the outskirts of the main shopping area of Harlow. To the south of Third Avenue is a large stretch of linear greenspace that follows the line of Todd Brook. To the north of the Third Avenue are a mixture of large commercial units and a low level parking area which is part of the Water Gardens Retail precinct. Whilst the northern side of Third Avenue is more commercial in aspect, in the design of the scheme there appears to have been a focus on urban greening to correspond with the more natural character as aspect experienced to the south of Third Avenue. As a result, the commercial units have differences in materials with a honey coloured stone cladding to the edges of the facades, along the car parking area and an entrance to the car parking area, which assists in the units not

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

² Paragraph: 079 Reference ID: 18b-079-20140306 Revision date: 06 03 2014

appearing as stark in their nature. Additionally, the commercial units are set back from the road edge with grass verges with planting of trees, shrubs and hedges. The vegetation is particularly effective along the junction with Haydens Road in providing a more domineering vegetated presence that is uncluttered which assists in reinforcing some of the more positive qualities of local character and distinctiveness of the area. At this point of the junction, there is minimal permanent signage, other than for the road direction signage at the round-a-bout and an illuminated sign on the gable end of Unit A specifying the name of one of the retailers of the Water Gardens. The road is illuminated by street lighting at this point.

5. In addition to my considerations under the framework and the Regulations, the Harlow Local Development Plan (LP) Policy PL13 is specifically related to the assessment of advertisements where applications are assessed against a number of criteria to determine appropriateness such as affect on amenity, landscape, size, scale, appearance, character of surrounding area, light pollution, and clutter amongst others.
6. The proposed sign would be self-standing advertisement hoarding sign with overall dimensions of 6 metres x 3 metres which would have an illuminated advertisement that would change with an intermittent sequence. I acknowledge comments within the Appellant's Statement of Case around their considerations of placement of the proposed sign, but I disagree that the sign would assimilate into its backdrop which consists of landscaped verges that assist in framing and screening the commercial buildings behind. Whilst there is the large business identification sign on the gable end of the building behind, the proposed hoarding sign is large with its intended purpose to draw attention, and would be a prominent free-standing feature that would intrude into the positive vegetated and uncluttered characteristics of this location.
7. The illumination together with the size and scale of the hoarding is unlike anything in the vicinity and would have little relevance to the landscaped vegetation and verges together with the backdrop of commercial building's design, form or composition. As such the hoarding sign together with its illumination would appear as an overly dominant installation and it would detract from the character and local distinctiveness of the locality and would consequently result in material harm to the amenity of the area, conflicting with LP Policy PL13, as described previously.

Conclusion

8. For the reasons given above, the appeal is dismissed

J Somers

INSPECTOR