



Appeal Decision

Site visit made on 25 November 2025

by **Sarah Colebourne MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 09 December 2025

Appeal Ref: APP/W3005/Z/25/3375193

131 Outram Street, Sutton in Ashfield, NG17 4BG

- 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 M&M's Desserts against the decision of Ashfield District Council.
 - The application Ref is V/2025/0502.
 - The advertisement proposed is described as 'illuminated shop front signage'.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) reiterate this approach. Therefore, while I have referred to a policy that the Council considers to be relevant to this appeal, this has not been decisive in my determination of this appeal.

Main issue

3. The main issue in this appeal is, therefore, the effect of the proposed advertisement on amenity.

Reasons

4. The advertisement regulations state that factors relevant to amenity include the general characteristics of the locality. The Framework says that the quality and character of places can suffer when advertisements are poorly sited. The most relevant policy in the development plan is policy ST1 of the Ashfield Local Plan Review (2002) (LP) which requires that proposals do not adversely affect the character and quality of the area.
5. Outram Street is a heavily trafficked through road close to Sutton in Ashfield town centre. The appeal site is a small unit in a traditional building located within a secondary shopping frontage of similar properties, as defined in the LP. There are many small independent food/drink outlets, retail and other units within the street and many have illuminated and non-illuminated signs. However, at the time of my visit, whilst there was much traffic passing along the street there were few pedestrians around and most units were vacant or closed with roller shutters. My impression was one of a poor quality street scene and the need to improve vitality.

6. The shopfront of the appeal building has a timber fascia that is slightly angled downwards and sits just below a first floor bay window. Below that there is a roller shutter box. The Council says that all fascia signage has previously been contained and angled within the existing shopfront fascia, except for a period in 2024-2025 when the business had similar signage to that proposed now but that did not benefit from advertisement consent.
7. The proposed sign is sought for a business that is relocating from other premises. It would comprise an aluminium composite fascia board with internally illuminated acrylic lettering, mounted with concealed fixings. The sign would project further forward than the existing fascia, supported by a timber structure behind to sit upright and would extend to also cover the shutter box with a height of just under 1m. The Council's concerns relate to its size rather than the illumination. Although it would be reversible, I agree that, by reason of its height, whilst the sign was in place it would be disproportionate to the design and scale of the shopfront and would be overly dominant when seen against the building and within the street scene.
8. At my visit, I noted many similarly sized signs in Outram Street. However, I am unaware of whether or not those have consent. Many detract significantly from the architecture of the building on which they are sited and do not make a positive contribution to the character or quality of the street scene. Those signs do not, therefore, set a precedent for the proposal here. Even if some of those have received consent in the past, the Council's current stance is justified by the Framework in seeking to improve, rather than simply maintain, the quality of the street scene and by the lack of activity I noted at my visit.
9. I have noted that if this appeal is dismissed, the appellant says it may force the business to close temporarily but that does not outweigh the longer term harm that would be caused to the area if allowed.
10. By reason of its size and height, the proposed sign would result in significant harm to the amenity of the area. It would therefore be contrary to the Council's development plan policy and to the Framework referred to above.

Conclusion

11. I conclude then that the proposal would result in significant harm to amenity and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

Inspector