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## Appeal Decision

Site visit made on 23 January 2018

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26<sup>th</sup> January 2018

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**Appeal Ref: APP/V2255/H/17/3185755**

**6A The Broadway, Minster-on-Sea ME12 2RN**

- 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 Independent Vetcare Ltd against the decision of Swale Borough Council.
  - The application Ref 17/503041/ADV, dated 8 June 2017, was refused by notice dated 18 September 2017.
  - The advertisement proposed is for 1 x roof mounted lettering sign.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The Council issued a split decision in which express advertisement consent was granted for 2 no. wall mounted signs on the front elevation of the appeal property and 1 no. pole mounted sign on the forecourt of the premises. It was evident from my site visit that these signs have already been erected.
3. For the avoidance of doubt this appeal relates only to the refusal by the Council of the roof mounted lettering sign as set out in the final bullet point above.

### Main Issue

4. The main issue is the effect of the proposed roof mounted advertisement on the amenity of the area

### Reasons

5. The appeal property is a single storey semi-detached commercial premises used as a veterinary surgery with small parking areas at the front and rear. The property is set back from the road within an area with a mixed residential and commercial character. A two storey dental surgery is located adjacent to the site and a small parade of commercial units on the opposite side of the road. A residential property is situated to the north of the appeal site.
6. The roof mounted lettering would be located on the front roof plane above the eaves of the appeal property and contains individual non-illuminated aluminium solid coloured lettering.
7. Paragraph 67 of the National Planning Policy Framework (the Framework) states that poorly placed advertisements can have a negative impact on the

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appearance of the built and natural environment. However, only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment, and should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

8. The Planning Practice Guidance sets out that in assessing amenity the general characteristics of the locality should be considered, and that the scale of advertisements should be in keeping with important historic, architectural or cultural features<sup>1</sup>.
9. There is some advertising on the nearby commercial buildings, including fascia signs or projecting signs, but they are all small in scale and identify the building they relate to.
10. The proposed advertisement, although set back, would form a dominant feature on the roof plane which would be poorly related to the building and jar with the area's general characteristics where the commercial signs are predominantly understated. It therefore, in my view, would be intrusive in this location and adversely harm the visual amenity of the area. Furthermore given the existing external advertisement signs on the appeal property, I am in no doubt that the business still has some presence within the street scene and I give little weight to the appellant's argument that the sign is required to draw attention to the veterinary surgery.
11. Consequently, I conclude that the roof mounted lettering sign would adversely harm the amenity of the area. The Council's decision refers to Policies DM14 and DM15 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 (LP) and the Council's Supplementary Planning Guidance: The Design of Shopfronts, Signs and Advertisements 1993 (SPG). The general LP Policy DM14 requires proposals that are both well sited and of a scale, design and appearance that are sympathetic and appropriate to the site and locality. More specifically, Policy DM15 and the SPG set out, amongst other things, that advertisements should be designed in a manner that minimises harm to amenity.
12. However, the Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken into account the above policies and guidance, which are material insofar as they seek to protect the area's amenity, they have not been a decisive consideration in my decision. I conclude that the proposal would adversely harm the amenity of the area and conflicts with the aims of the Framework as set out above.
13. I have noted the objections from Minster-on-Sea Parish Council and a local resident to the advertisements. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.
14. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR

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<sup>1</sup> Planning Practice Guidance: Paragraph 079 Reference ID: 18b-079-20140306