



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: 26th January 2018

Appeal Ref: APP/V2255/H/17/3182912

211 High Street, Sheerness ME12 1UR

- 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 17/503047/ADV, dated 8 June 2017, was refused by notice dated 14 August 2017.
 - The advertisement proposed is for 1 x projecting sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of 1 x projecting sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Procedural Matters

2. The Council issued a split decision in which express advertisement consent was granted for 1 no. fascia sign, 1 no. wall mounted sign and 1 no. other sign above the door on the eastern front elevation of the appeal property and 1 no. wall mounted lettering on the northern side elevation 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 projecting sign as set out in the final bullet point above. The Council also refused consent for 1 no. wall mounted lettering sign on the eastern front elevation of the premises but the appellant has stated that they have accepted the Council's decision on this sign and are not pursuing this reason for refusal. I have determined the appeal on this basis accordingly.

Main Issue

4. The main issue is the effect of the proposed projecting sign on the amenity of the area.

Reasons

5. The appeal property is a two storey end of terrace commercial premises used as a veterinary surgery at the junction of High Street and Victoria Road. The property is not listed or within a Conservation Area and is located within an area with a mixed residential and commercial character. A residential property

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is situated adjacent to the site. To the north-west is a parade of shops and commercial premises some of which have fascia signs and projecting signs that are all small in scale and identify the building they relate to. To the north east is a petrol filling station with signage on the canopy and alongside the road frontage. There is, therefore, a significant amount of signage in the area, some of which is illuminated.

6. The proposed projecting sign would be located on the eastern front elevation of the appeal property and comprise of a small non-illuminated aluminium sign with vinyl graphics.
7. Paragraph 67 of the National Planning Policy Framework (the Framework) states that poorly placed advertisements can have a negative impact on the 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 features¹.
9. Whilst the projecting sign would be located in a prominent position on the site frontage close to the main road, I do not consider that it would look out of place when compared against the existing projecting signs nearby. Its small scale non-illuminated design and the physical separation from the other signs on the frontage of the premises would help to avoid any unacceptable cumulative effect. Overall, the signage does not strike me as being excessive and would not appear out of place in relation to its surroundings. Accordingly, I am satisfied it would not result in significant harm to the character and appearance of the appeal property and the visual amenity of the area.
10. Consequently, I conclude that the projecting sign would not adversely harm the amenity of the area. The Council's decision refers to Policies CP4, 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 Policies CP4 and DM14 require proposals that are of a high quality design 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.
11. However, the Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken into account those policies, which are material, and I conclude that the scheme would not conflict with them, they have not been a decisive consideration in my decision. As the proposal would not have a negative impact on the local environment, it would not conflict with the aims of the Framework.

¹ Planning Practice Guidance: Paragraph 079 Reference ID: 18b-079-20140306

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Conditions

12. Having regard to the Framework, and in particular paragraph 206, I have considered the conditions suggested by the Council. Whilst I note the wording in the conditions generally accords with the Regulations standard conditions, based on the evidence before me, I consider that the Regulations standard conditions are both reasonable and necessary in this case.

Conclusion

13. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR