



The Planning Inspectorate

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## Appeal Decision

Site visit made on 6 June 2019

by **Andrew Walker MSc BSc(Hons) BA(Hons) BA PgDip MCIEH CEnvH**

an Inspector appointed by the Secretary of State

Decision date: 18<sup>th</sup> June 2019

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**Appeal Ref: APP/V2255/Z/19/3224020**

**240-248 High Street, Sheerness ME12 1UP**

- 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 Mr Bedri Dedushi against the decision of Swale Borough Council.
  - The application Ref 19/500296/ADV, dated 21 January 2019, was refused by notice dated 21 February 2019.
  - The advertisement proposed is advertisement board to proposed cafe.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Notwithstanding the description of the advertisement set out above, which is taken from the application form, it is clear from the plans and accompanying details that the advertisement comprises 2 fascia boards. The Council dealt with the proposal on this basis and so shall I.
3. The application is retrospective, with both fascia boards having been erected.
4. I have also dealt with another appeal (Ref: APP/V2255/W/19/3224525) on this site. That appeal is the subject of a separate decision.

### Main Issue

5. The main issue is the effect of the appeal proposal on the visual amenity of the area.

### Reasons

6. The appeal site is a former petrol station occupying the corner of a street junction on the approach to Sheerness Town Centre. There is a hand car wash operation and café situated within a single-storey flat-roofed building which had been in use as the petrol station shop. A large fascia board advertising the café is present to the top of this building, on the left-hand side of its frontage. The board extends above the level of the flat roof.
  7. A single-storey pitched-roof extension has been added to the front of the building, running perpendicular to it. A large fascia board has been added to the ridge line of this extension, running its entire length and with the board rising around 1.2 metres above the ridge height. It has signage on both sides advertising the café, with the same wording and design as the fascia board on the main building. It appears particularly large when compared to the scale of the single-storey extension on which it sits.
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8. Due to their size, scale and positioning the fascia boards would be unacceptably prominent within the streetscene. This would be aggravated by the positioning of the boards above roof level, where they would not appear sub-ordinate to the building and would harm its appearance. Further, the appeal site at the corner junction is a highly visible location, which although mixed has a largely residential character which would be significantly harmed by the over-dominant commercial signage.
9. I acknowledge the presence of other advertisements locally, including those highlighted by the appellant. Although some are indeed large, the local examples provided are located within the context of their associated buildings and therefore are materially different to the appeal signs which rise above their roofs. In any respect, other signs in the locality do not set precedence and I have considered the appeal proposal on its merits.
10. I have also taken into account the fact that the former petrol station canopy, according to the submitted plans, had advertisement signage upon it (the word "Gulf" in two locations). However, unlike the appeal proposal, the canopy advertisement would not have been out of scale relative to the structure on which it was located nor rising above it.
11. In accordance with the Regulations<sup>1</sup>, I have taken into account the provisions of the development plan so far as they are material. Policies CP4, DM14 and DM15 of the Swale Borough Local Plan (2017), supported by the Council's adopted Supplementary Planning Guidance "The Design of Shopfronts, Signs & Advertisements", seek to protect amenity and so are material in this case. As I have concluded that the advertisements would harm amenity, the appeal proposal conflicts with these policies. The proposal also conflicts with paragraph 132 of the National Planning Policy Framework, which seeks to protect amenity from poorly-sited and poorly-designed advertisements.

### **Conclusion**

12. For the reasons given above, and having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

*Andrew Walker*

INSPECTOR

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<sup>1</sup> Town and Country Planning (Control of Advertisements) (England) Regulations 2007