



The Planning Inspectorate

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## Appeal Decision

Site visit made on 20 August 2019

by **J Davis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

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**Appeal Ref: APP/V2255/Z/19/3227552**

**Sunnyside Bungalow, London Road, Dunkirk, ME13 9LW**

- 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 Chris Meredith against the decision of Swale Borough Council.
  - The application Ref 19/500340/ADV, dated 16 January 2019, was refused by notice dated 1 April 2019.
  - The advertisement proposed is described as "The advertising unit is a wooden structure including a wooden sub-frame with wooden boards. The advertising display is a 12 ft x 6 ft pvc sign".
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the amenity of the area.

### Reasons

3. The proposed advertisement is currently displayed on the site and is located close to the drive serving Sunnyside Bungalow, adjacent to the A2 dual carriageway. The surrounding area is generally characterised by extensive areas of woodland and fields and is rural in character and appearance other than for a number of isolated dwellings, on either side of the A2.
4. The National Planning Policy Framework 2019 (the Framework) advises that the quality and character of places can suffer when advertisements are poorly sited and designed. The advertisement is unrelated to activities taking place on the site and the appellant has confirmed that it is available to local businesses to advertise products and services. The advertisement board has a width of 5.18m and a depth of 2.74m. It is raised off the ground by 1.22m. It is sited close to the A2 dual carriageway and is angled towards oncoming traffic.
5. Given the size and siting of the advertisement, it is highly prominent within the local landscape, which the Council state is designated as an area of High Landscape Value. The advertisement is viewed against a backdrop of shrubs and hedging and having regard to the rural character and appearance of the area, the advertisement appears incongruous with its surroundings and represents an intrusive, harmful feature, inappropriate within its sensitive rural setting. As such, I find that it is harmful to the amenity of the surrounding area.

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6. Whilst the site sits between two services stations on opposite sides of the A2, the advertisement is not readily viewed in the same context as these commercial uses. Whilst there are a number of advertisements relating to these service stations and other adjacent commercial uses, these are of a different nature to the appeal proposal, as they are related to the uses taking place on the site. The rural character and appearance of the land in between the service stations, which are on opposite sides of the dual carriageway, is not significantly diminished by these uses.
7. With regard to public safety, I note that Kent Highways and Transportation raised no objection in relation to highway safety and I concur that the proposal would not raise public safety issues.
8. In accordance with the Regulations, I have taken into account the provisions of the development plan as far as material. The proposal would be contrary to Policies CP4, DM14, DM15 and DM24 of the Bearing Fruits 2031: The Swale Borough Local Plan 2017 insofar as they seek to protect amenity. Furthermore, the proposal would also conflict with the general advice contained within the Council's Supplementary Planning Guidance 'The Design of Shopfronts, Signs and Advertisements' which states that the Borough Council will not normally permit advertisements outside town centres, particularly in sensitive areas such as residential areas and open countryside.

#### **Other Matter**

9. The appellant states that the advertisement is smaller than those featured on this stretch of highway. However, I have not been provided with the precise details of the signage referred to or whether it benefits from advertisement consent. I therefore afford little weight to this matter.

#### **Conclusion**

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

*J Davis*

INSPECTOR