



Appeal Decision

Site visit made on 12 October 2015

By **J L Cheesley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: **20/10/2015**

Appeal Ref: APP/V2255/Z/15/3129078

Medway Autos Ltd, London Road, Rainham, Gillingham, Kent ME8 8PT

- 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 Dean Stoner, Medway Hyundai, against the decision of Swale Borough Council.
 - The application Ref 15/503148/ADV, dated 9 April 2015, was refused in part by notice dated 8 June 2015.
 - The advertisement proposed is one 6 Metre high pylon.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the effect of the advertisement on the character and appearance of the surrounding countryside.

Reasons

3. The appellant states there is a commercial need for the advertisement. To comply with the Regulations, I consider that the issue of visual amenity is the decisive factor in my decision.
4. I have taken the description of the proposed advertisements to be that on the application form. On the appeal form, the detailed description is as follows: *1500 x 6000mm Double sided free standing Pylon Brown ACM face panels fixing onto an internal mild steel framework. Bolted into a concrete base. Brown background with acrylic moulded chrome logos & white letters pushed through the face of the ACM. Internally illuminated by white leds.*
5. The advertisement is in situ. I understand that there was an existing pylon base in this position. The appeal site lies within a group of buildings in the open countryside. These buildings include other commercial premises and there are advertisements of various designs and sizes at these premises.
6. Existing advertisements at the appeal site include fascia signs and flag poles. The advertisement is in a prominent location on a main through road. Due to the location, large scale and illumination of the advertisement in this countryside location, I consider that it has a dominant adverse effect on the open character and appearance of the surrounding countryside.

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7. The Council refers to supplementary planning guidance and Policies E1, E6 and E23 in the Swale Borough Local Plan (2008). The Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety. Therefore, the Council's policies alone cannot be decisive. However, I have taken them into account as a material consideration in my determination of this appeal.
8. For the reasons stated above and having taken into consideration all other matters raised, I conclude that the appeal should be dismissed.

J L Cheesley

INSPECTOR