
Appeal Decision

Site visit made on 25 September 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 10th October 2017

Appeal Ref: APP/L3245/Z/17/3178426
70 Victoria Road, Oswestry SY11 2HX

- 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 Miss Faye Heeley of Lidl UK against the decision of Shropshire Council.
 - The application Ref 16/05872/ADV, dated 10 January 2017, was refused by notice dated 27 April 2017.
 - The advertisement proposed is a 1 no. 48 sheet billboard.
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Decision

1. The appeal is allowed and express consent is granted for the display 1 no. 48 sheet billboard 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 Regulations.

Procedural Matter

2. During the Council's consideration of the application, one of the proposed store billboards was omitted from the scheme. The Council issued a split decision in which express advertisement consent was granted for the three store billboards. For the avoidance of doubt this appeal relates only to the refusal of the 48 sheet billboard as set out in my final bullet point above. At the time of my site visit the proposed billboard had been erected.

Main Issue

3. The main issue is the effect of the advertisement on the character and appearance of the area.

Reasons

4. The appeal site comprises a large detached modern building within a large area of hardstanding. The entrance to the site is located in the north east corner of and provides access directly off Victoria Road. The north west boundary comprises a high close boarded timber fence. On the other side of this fence is a large industrial building. There are a number of signs within and around the appeal site, including entrance signs to the appeal site and a large totem sign adjacent to Victoria Road.
5. The sign that is the subject of this appeal is clearly visible from Victoria Road and from the nearby junction with the B5479. However, the timber fence rises to just under half way up the height of the sign, reducing its overall

prominence. Whilst I note the Council's concern that the sign appears high on the skyline, this is only when seen in very close proximity as the large factory building to the rear provides a backdrop against which the sign is read when approaching from the south east. Similarly, the large building within the appeal site provides a backdrop to the sign when viewed along Victoria Road from the north west.

6. The site and the adjacent factory building are clearly distinguishable as commercial in nature when compared to the wider residential area. Therefore the siting of the sign on the boundary between these two commercial sites does not appear incongruous. Furthermore, although large, the sign is in scale to its large neighbouring buildings and does not appear intrusive within the street scene.
7. I find therefore that the sign does not significantly harm the visual amenities of the area. In their reasons for refusal, the Council have cited Policy CS6 of the Shropshire Council Adopted Core Strategy 2011 and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan 2015, which they consider to be relevant to this appeal. I have taken them in to account as a material consideration. However, the power under the 2007 Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. Accordingly, whilst I have taken account of the Council's policies, they have not, by themselves, been decisive.

Conclusion

8. For the reasons given above, having regard to all matters raised, the appeal is allowed. I note that no non-standard conditions have been proposed and I consider that none are necessary.

Alexander Walker

INSPECTOR