



Appeal Decision

Site visit made on 24 April 2018

by **A Jordan BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 May 2018

Appeal Ref: **APP/F4410/Z/18/3194043**

Grove Inn, York Road, Bentley, Doncaster, DN5 8HL

- 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 Space Outdoor Ltd against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/02903/ADV, dated 23 November 2017, was refused by notice dated 15 January 2018.
 - The advertisement proposed is 1 x Freestanding 48 Sheet internally illuminated advertising hoarding measuring 6069mm x 3048mm.
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Decision

1. The appeal is dismissed.

Main Issues

- The main issues for the appeal are the effects of the proposal on highway safety and the effects of the proposal on visual amenity.

Reasons

Highway Safety

2. The appeal site comprises part of a car park to a public house, which sits on a main arterial road within the urban area of Doncaster. The area around the appeal site is in mixed use, with residential properties making up a large proportion of the properties closest to the appeal site. A large retail park sits on the opposite side of the main road.
3. The hoarding would be of substantial size. The Council have expressed concerns that the sign, which would face oncoming traffic in a southbound direction would cause a distraction to road users close to 2 signal controlled traffic junctions. I noted during my site visit that the road was straight and although traffic was free moving, it was subject to a 40mph speed restriction. Drivers would therefore have a reasonable distance and timeframe to observe the advertisement for some time whilst approaching and so would be unlikely to become distracted on the approach to the junctions. I have also been provided with no accident data in relation to the operation of the junctions in question, and so have no reason to consider that drivers would be required to exercise extra caution.

4. Furthermore, although I note the Council's concerns in relation to precedent, each case is determined on its own merits and it does not follow that consent in this location would lead to other similar consents in other locations. On the first matter I therefore find no conflict with policy ENV58 of the *Unitary Development Plan* (UDP) with regard to public safety.

Visual Amenity

5. The hoarding would sit alongside the main road within the pub car park. There are examples of large illuminated signs close to the site within the retail park, and in this wider context, to users of the highway passing through the area, the sign would not appear particularly out of place. However, I take into account the fact that the immediate vicinity of the appeal site has a predominantly residential character. The property to the rear of the site is a day-nursery, and the outdoor play area for the use lies immediately adjacent to the appeal site, on the other side of the boundary. The total height of the sign would measure around 5.85 metres from ground level and would occupy a large proportion of the common boundary. I observed on site that the adjoining space occupied the only secure outdoor space for the nursery and so it is reasonable to assume that it forms an important part of the use. When viewed at close quarters immediately behind the sign, due to its height and the extent to which it occupies the boundary, the structure would be likely to be perceived as an omnipresent and invasive presence which would fail to enhance the visual amenity of the area.
6. On the second matter I therefore conclude that although the hoarding would not appear incongruous when seen in its wider context, in closer views the structure would nonetheless be perceived as a visually intrusive and overly prominent feature, particularly to users of the day nursery. As such I concur with the Council, that the proposal would have a negative impact on the adjacent buildings. It follows that the proposal would conflict with policies ENV53 and ENV58 of the UDP and CS14 of the Core Strategy which together seek development, including advertisements, which does not detract from the visual amenity of the area.

Conclusion

7. The proposal would not be harmful to highway safety but would have a significantly harmful effect on visual amenity. Accordingly, for the reasons given above, I dismiss the appeal.

Anne Jordan

INSPECTOR