



Appeal Decision

Site visit made on 7 August 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal Ref: APP/L3245/Z/23/3317977

**Imperial Bricks, Crowgreaves Farm, Crowgreaves, BRIDGNORTH
WV15 5LT**

- 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 Imperial Bricks Ltd against the decision of Shropshire Council.
 - The application Ref 22/04717/ADV, dated 17 November 2022, was refused by notice dated 20 January 2023.
 - The advertisement proposed is Installation of 2no non-illuminated freestanding signs (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referenced policies it considers to be relevant to this appeal and I have taken these into account as a material consideration. However, powers under the Town and Country Planning (Control of Advertisements) Regulations 2007 to control advertisements may only be exercised in the interests of visual amenity and public safety, taking account of any material factors. Consequently, the Council's policies have not by themselves been decisive in my determination.
3. The signs are already being displayed and as such I will consider the proposal as a retrospective submission.

Main Issues

4. Paragraph 136 of the National Planning Policy Framework (the Framework) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The main issues, with respect to this appeal, are the effect of the proposal on visual amenity and on public safety.

Reasons

Visual amenity

5. The appeal site consists of metal clad warehouse buildings and several decorative converted brick barns. The site is within a countryside setting with the surrounding generally flat and open land providing distant rural views. The site is a former farm holding that has been recently adapted to a commercial enterprise, with associated car parking and external storage. Crowgreaves Farm is deemed a non-designated heritage asset by the Council due to its historic interest as a traditional rural farmstead. Many of the associated brick

- buildings maintain a pleasant rural character that results in the site making a positive contribution to its surrounding countryside setting.
6. The proposed signs consist of two business related advertisement boards sited to the southeast of the site access. These are within the grass verge of the B4176 in front of the site's boundary wall. The signs are 2.6 metres tall and 2.9 metres wide and have a total height of around 3.2 metres, accounting for the support posts.
 7. The signs are shorter than the adjacent brick building but are ahead of all built form within the site, including the front boundary wall. These are therefore within a prominent location which does not benefit from screening. Despite the scale of adjacent buildings, the signage is large and dominant in the frontage. The signs are overt features in the streetscape, in conflict with the open character of the grass verge and the surrounding countryside.
 8. Furthermore, the signage obscures and dominates some views of the attractive brick buildings within the site. Therefore, the signs erode the appearance of the barns and diminish an observer's understanding of the original agrarian function of the site. As such, the signage results in visual clutter that fails to respect the quality or character of the area. Accordingly, due to its scale and prominence, the visual effect of the signs are harmful to the character and appearance of the site and area.
 9. Consequently, the proposed advertisement would harm the amenity of the local area. As such, the proposal would fail to meet paragraphs 130 and 136 of the Framework, which require development to be sympathetic to the local area and for a decision maker to consider its effect on amenity. I have also noted policies CS6 and CS17 of the Shropshire Core Strategy and policies MD2 and MD13 of the Council's Site Allocations and Management of Development Plan [2015]. These seek development to be designed to a high quality and that protects the character of the district's natural and built environment, and so are material in this case. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Public safety

10. The site is accessed from the B4176, a road subject to the national speed limit of 60 mph. The evidence does not identify the visibility splay sought by the Council. Furthermore, the submission is without the benefit of speed surveys or visibility splay diagrams. It is not disputed between main parties that views to the northwest of the access provide clear visibility to oncoming traffic and I see no reason to disagree with this assertion. I am cognisant that photographic evidence has been provided by the Appellant showing the views that seem to be available to motorists leaving the site in several different types of vehicle. However, the position of each photograph, in relation to the distance back from the highway edge, cannot be verified. This limits the value of this evidence and my reliance on its accuracy.
11. My own observations on site indicate that views to the southeast are relatively clear over a reasonable distance, but this assessment could not accurately verify the relative position of any required x-distance, highway edge or the depth of the grass verge. As such, based on the evidence before me, the Appellant has failed to demonstrate that a suitable visibility splay to the southeast can be achieved.

12. As it has not been demonstrated that the proposed signs are beyond the required visibility splay to the southeast, the signs would be likely to obstruct views for motorists exiting the site. Without a suitable stopping distance vehicles approaching the site from the southeast would have insufficient time to react, increasing the risk of accidents.
13. The Council identify that the signs are located within the highway. This alone would not present a clear reason to refuse advertisement consent. Moreover, the Highway Authority has the power, under section 79 of the Highways Act [1980], to remove obstructions in the highway that are deemed necessary for the prevention of danger arising from obstruction to the view of persons using the highway.
14. The submitted evidence does not demonstrate that the signage does not obstruct views to the southeast of the entrance or would be outside the required visibility splay. As such I am unconvinced that the proposal would not harm highway safety. Accordingly, the proposal would fail to meet paragraph 111 of the Framework, which require a decision maker to refuse development on highway grounds if resulting in an unacceptable impact on highway safety.

Other Matters

15. I acknowledge that the purpose of the signage is to identify the business on this relatively fast-flowing highway. Nonetheless, the early identification of the site to approaching motorists, whilst a benefit, would not outweigh the identified harm to highway safety and the amenity of the area.

Conclusion

16. For the above reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR