



Appeal Decision

Site visit made on 10 January 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2023

Appeal Ref: APP/B9506/Z/22/3299170

Jewson, Common Road, Whiteparish, Salisbury SP5 2QW

- 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 Conabeer of Saint-Gobain against the decision of New Forest National Park Authority.
 - The application Ref 22/00164, dated 1 March 2022, was refused by notice dated 3 May 2022.
 - The advertisement proposed is replacement post sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of the replacement post sign 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.

Preliminary Matters

2. It was evident from my site visit that the proposed post sign had already been provided on site. The evidence before me indicates that this replaced a sign in a similar position.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance confirm this approach. Therefore, while I have taken account of the policies that the Authority considers to be relevant to the appeal, these have not been decisive in my determination of this appeal.
4. During the course of the appeal the site address was confirmed as that set out in the banner heading.

Main Issue

5. The main issue is the effect of the proposed post sign on the amenity of the area, having regard to the location of the appeal site within the New Forest National Park.

Reasons

6. The site lies within the New Forest National Park and paragraph 176 of the Framework makes clear that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks.

7. The appeal property is located to the south of Whiteparish and on the edge of ancient woodland with access from Common Road. Trees along the road give it a sense of enclosure and the area has a verdant setting. Notwithstanding that, there are breaks to this character in the form of the commercial development at the appeal site and the adjacent residential development, which are clearly visible from the road.
8. The appeal site comprises several large buildings which, although set back from Common Road, are visible as you pass by. The proposed post sign lies in a position in front of a chain link fence at the site entrance and it has replaced a sign that was previously attached to the fence. It does not therefore result in over proliferation.
9. Although the sign is taller than the previous sign, it has an immediate backdrop of vegetation, and it is viewed within the context of the commercial site. It does not stand out as incongruous, over-dominant or unduly prominent in relation to the appeal site or the character and appearance of the locality.
10. In this context, the sign is modest in size, of an appropriate form and position, and it does not appear as an unacceptably strident feature. Accordingly, the sign has not caused harm to the visual amenity of the area and the character and scenic beauty of the National Park has been conserved.
11. I have taken into account the New Forest National Park Design Guide and Policies DP2, SP7, SP15 and SP17 of the New Forest National Park Local Plan, which together, amongst other things, seek to protect amenity and so are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with these policies and guidance.

Other Matters

12. The Decision Notice does not include an objection to the proposal on the grounds of public safety. The advertisement is static and non-illuminated, thus limiting its potentially distracting impact. Moreover, the sign does not appear out of place, unexpected or distracting to passing motorists. From the evidence before me, and from my observations, I have no reason to disagree with the Council on this matter and I am satisfied that the proposal is acceptable with regard to public safety.
13. The Highway Authority has raised no objection, however, it recommends a condition to ensure the sign would be no closer to the highway than 600mm. As the sign is further from the highway than 600mm there would be no need to impose the condition.
14. In relation to the concerns that the site is on common land, the appellant has declared that it owns the land and I have no substantive evidence to show that this is not the case. Furthermore, a condition set out in the Regulations requires that no advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
15. I note the concern that allowing the appeal would create an undesirable precedent. However, I have found the scheme would be acceptable and therefore see no reason why it would lead to unacceptable advertisements elsewhere.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

J White

INSPECTOR