The Planning Inspectorate

Appeal Decision

Site visit made on 11 May 2011

by R Ogier BA MRTPI

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

Decision date: 13 May 2011

Appeal Ref: APP/K2420/H/11/2143740
Eastwoods Service Station, Ashby Road, Stapleton, Leicester, Leicestershire LE9 8JE

- 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 Primesight Ltd against the decision of Hinckley & Bosworth Borough Council.
- The application Ref 10/00678/ADV dated 27 August 2010, was refused by notice dated 1 November 2010.
- The advertisement proposed is an internally illuminated display unit.

Decision

1. I dismiss the appeal.

Preliminary matter

2. The display unit that is the subject of this appeal has been installed.

Main Issue

3. The main issue in this appeal is the effect of the subject advertisement on the visual character of its surroundings on Ashby Road.

Reasons

4. The Eastwoods Service Station is part of a frontage of mixed development on the west side of the A447 Ashby Road. The service station site which incorporates a vehicle maintenance workshop and car wash is adjoined by two dwellings, *Clovelly* to the north and *Greengarth* to the south, although immediately to the south of *Greengarth* is a busy garden centre. There is open farmland on the opposite side of Ashby Road, which gives the locality a semi-rural character.

5. The subject display can be seen on approach from the north and south within the visual context of the service station as a whole. However although erected close to the main *Texaco* totem sign, it achieves a considerable degree of prominence in its own right due to the height of its pole mounting at 2.3 metres and its location, with the totem sign, on the inside of a slight curve in the A447. The submitted photographs confirm in particular that the panel disrupts the view from the north under the canopy towards the flank wall of *Greengarth*, and from the south towards the front elevation of *Clovelly*. In these circumstances and given the relatively intense effect of its internal fluorescent tube illumination diffused by the panel surfaces, activated between

dusk and dawn by a light-sensitive photo cell, its visual impact is in my perception inappropriately excessive for this countryside location close to dwellings.

6. I therefore conclude that the subject display is harmful to the visual character of its semi-rural and residential surroundings and accordingly detrimental to the amenity of the immediate area. I consider that as a result, it does not accord with saved Policies BE1 and NE5 of the Hinckley & Bosworth Borough Council Local Plan, which are material considerations. Nothing else I have found in the written representations outweighs those conclusions, on which basis the appeal is unsuccessful.

Richard Ogier

Inspector