



Appeal Decision

Site visit made on 02 August 2004

by Terry Emm

an Advertisement Appeals Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date

13 AUG 2004

Appeal Ref: APP/G3110/H/04/1150929
Humphris Oxford Ltd, 72 Rose Hill, Oxford OX4 4HS

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Humphris Oxford Ltd against the decision of Oxford City Council.
- The application (Ref 04/00415/ADV) is dated 27 February 2004. The advertisement proposed is a freestanding internally illuminated totem sign measuring 3.5m x 1.35m.

Summary of Decision: The appeal is dismissed

Main Issues

1. I consider the main issues to be the visual impact of the proposed sign on the surrounding area and on the amenity of residents.

Planning Policy

2. The Council have referred to the advertisement control policies contained in the adopted and draft Oxford Local Plans. The Regulations require that decisions are made only in the interests of amenity and public safety. Therefore the Council's policies alone cannot be decisive, but I have taken them into account as a material consideration.

Reasons

3. The appeal premises comprise a car showroom and garage situated on the western side of Rose Hill (A4158), one of the arterial routes into the city, and approximately 3k from the centre. The eastern side of the road is mainly residential. The appeal site constitutes the northern end of a commercial enclave along the western side of the road. Immediately to the north of the appeal site are two semi-detached dwellings nos. 66 and 68.
4. The appeal premises are divided into Seat and Hyundai showrooms and are displaying the usual amount of associated signage. There is a comparatively narrow forecourt, some 15m in depth, used for displaying cars and providing customer parking. The Seat showroom is displaying a totem sign roughly 3m-4m in height. At the time of my inspection the Hyundai showroom appeared to be undergoing refurbishment.
5. The appellants argue that the appeal sign is a replacement sign for an earlier and similar Nissan sign. The Council have said little about the circumstances relating to the previous sign, but it seems to have been erected in 1999 when use as a petrol filling station ceased. Consent for the earlier sign would have been based on the merits of the case existing at the time. It cannot be regarded as a precedent. I will therefore decide this appeal on its merits taking into account the current circumstances.

6. I note that an appeal against refusal of consent for a similar sign measuring 3.6m in height, and to be placed in a similar position, was dismissed in 1997; at that time the premise were also in use as a petrol filling station. In that case the Inspector found that the sign would have a detrimental impact on the amenity of local residents and the streetscene in general. In my view the objections identified in the previous appeal decision apply equally to this appeal.
7. The appeal sign would be positioned by the site entrance, adjacent to the boundary with no. 68. The sign would be placed immediately next to the neighbouring property and I consider that such a large illuminated sign, less than 10m from the nearest window of the dwelling, could not fail to have a detrimental impact on the amenity of outlook of the occupants. Also, in my view the site frontage of approximately 40m, is barely large enough to accommodate 2 totem signs without overburdening the premises with signage.

Conclusions

8. For the reasons given above and having regard to all other matters raised, I conclude that the display of the advertisement would be detrimental to the interests of amenity.

Formal Decision

9. I dismiss the appeal.



Advertiser Appeal Inspector