



# Appeal Decision

## APPENDIX 2

Site visit on 16 May 2007

by **Malcolm Rowe**

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

Decision date:  
**21 MAY 2007**

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### Appeal Ref: APP/V3120/H/07/1201151

### Carpetright, Unit A2, Fairacres, Marcham Road, Abingdon, Oxon, OX14 1BS

- 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 Carpetright plc against the decision of Vale of White Horse District Council.
- The application Ref 06/01801/ADV, dated 21 November 2006, was refused by notice dated 16 January 2007.
- The proposal is for the display of two internally illuminated flex-face fascia signs and two non illuminated poster frames.

**Summary of Decision: The appeal is allowed and consent is granted for all of the signs subject to the terms and conditions set out in the Formal Decision.**

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### The Appeal Signs

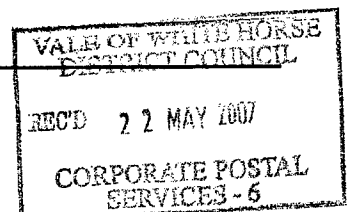
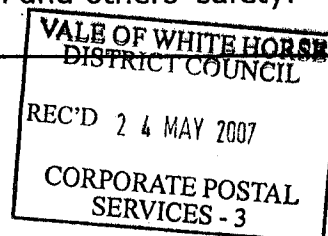
1. The appeal signs comprise two internally illuminated flex-face signs: one measuring 4.8m by 2.7m showing the 'Carpet - RIGHT' name and logo; the other measuring 4.8m by 0.4m denoting 'Carpet Showroom'. Also under appeal are two non illuminated poster frames each measuring 1m by 1.5m.

### Main issues

2. The main issue, on amenity grounds only, is the impact including the cumulative impact of the appeal signs on the appearance of the building and the surrounding area.

### Commercial Need and Public Safety

3. The Appellants claim that there is a commercial need for these internally illuminated signs, particularly as a means of reinforcing Carpetright's corporate image. I acknowledge that outdoor advertising can play an important part in denoting commercial outlets and attracting trade. However, the Regulations generally require decisions to be made only in the interests of amenity and, where applicable, public safety. Therefore it is these factors, rather than commercial need or advantage that must be given most weight.
4. Although public safety was not mentioned as a reason for refusal, the Appellants' have claimed that, unless internally illuminated signs in Carpetright's corporate livery are displayed on the frontage, customers seeking the new store might be unduly distracted when using the adjacent highway. I am giving this little weight as regards customers who in any event should be exercising proper care for their own and others' safety.



5. The Council have expressed the view that fully internally illuminated flex-face signs are 'unnecessary'. However that is not a matter which the Council should comment on when dealing with applications for express consent and subsequent appeals. As advised in Paragraph 9 of PPG 19, it is accepted that (with one minor exception in Areas of Special Control), anyone proposing to display an advertisement 'needs' that advertisement in that particular location, whether for commercial or other reasons.

### **Reasons**

6. The premises comprise a large store which together with other apparently outdated units is being completely refurbished as part of the Fairacres retail park, an edge of town development off Marcham Road. The adjacent section of the retail park is laid out as an inverted-U on three sides of a large surface car park which is lightly landscaped with maturing trees. At the time of my inspection, only the exposed steel frame of the new building was in place. I saw nothing identifying the site as 'Carpetright' although a 'carpet' outlet was trading under a different name from a smaller unit adjacent to 'Argos' and the 'Ab Fab' café immediately to the west.
7. The mainly commercial surroundings also include a large office building to the west, a Homebase store forming the eastern leg of the 'U', a hotel on the opposite side of the main road and the site of a petrol filling station also undergoing major redevelopment adjacent to the nearby roundabout. The area generates a substantial amount of commercial activity but a mix of formal and naturalised landscaping helps to soften the impact of the commercial profile on this main route into the town centre.
8. Taken in relation to the new frontage as shown on submitted Drawing No. CAR0449, the main fascia box sign does not look unduly large at 4.8m by 2.7m. Although at fairly high level on the building, it would be visually contained by the 'legs' of the imposing tower structure which will frame the central part of the frontage thereby creating an interesting focal point to the principal elevation.
9. The other fascia box sign is also 4.8m long but only 0.4m deep. As with the main sign, it would be neatly contained within the tower framework but at lower level, beneath the arched canopy and immediately above the customer entrance, so relating well to the modest but obvious ground floor commercial aspect of the new store.
10. Both signs reflect 'Carpet Right's' corporate livery which, in the circumstances outlined above, would not appear garish or visually overpowering, even with internal illumination to the 'ivory' background. With one sign so much smaller than the other there is also a clear hierarchy of signage rather than any obvious irregularity or confusion which might cause visual clutter.
11. Moreover the front of the new store will be set back some distance from the adjacent highway and in my opinion these neatly presented fascia signs would have no material impact on their mainly commercial surroundings including the limited views across the lightly landscaped car park from Marcham Road.
12. The Council have not specifically objected to the modest, non illuminated poster frames. These units would be presented side by side and neatly

contained at ground floor level on a section of the frontage adjacent to the customer entrance but well spaced from the main signs so avoiding any impression of clutter. They would not stand out on the frontage and their non illuminated display would be an incidental feature when viewed from the highway.

13. The Council have referred to a previous appeal affecting a site which is more readily exposed to Marcham Road and the main route into the town centre. However that decision in common with all appeal decisions should be interpreted restrictively; as the official view on the individual merits of a particular case. Although I have noted that decision, I have similarly determined the present proposal on its own planning merits.

### **Planning Policies**

14. I have carefully considered the Council's advertisement control policies, and taken them into account as a material consideration. I consider in the circumstances outlined above that the appeal signs are acceptable on grounds of amenity and should be permitted. This does not mean that I disagree with the generality of the Council's policy advice, or that a similar advertisement(s) in another location or other circumstances would be acceptable. Each proposal must be considered on its own planning merits.

### **Conclusions**

15. For the reasons given above and having regard to all other matters raised, I conclude that the display of the appeal signs would not be detrimental to the interests of amenity.

### **Formal Decision**

16. I allow the appeal and grant consent for the display, for a period of five years from the date of this decision, of the two internally illuminated flex-face fascia signs and the two non illuminated poster frames as applied for. The consent in each case is subject to the standard conditions set out in the Regulations.

*Malcolm Rowe*

Inspector