

Appeal Decision

Site visit made on 3 January, 2017

by C. Jack, BSc (Hons) MA MA(TP) MRTPI

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

Decision date: 13th January, 2017

Appeal Ref: APP/Q1255/Z/16/3159014

Public Telephones 6m from Synergy, 155a High Street, 35m from North Street, Poole, BH15 1AU

- 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 New World Payphones against the decision of Poole Council.
 - The application Ref APP/16/00939/A, dated 13 June, 2016, was refused by notice dated 3 August, 2016.
 - The advertisement proposed is described as 'Internally illuminated digital panel as integral part of telephone kiosk.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The appeal site is in Poole town centre and falls within the Town Centre Heritage Conservation Area (TCHCA). The adjacent building at 153 High Street, also known as Beech Hurst, is listed Grade II*. The existing pair of back-to-back telephone kiosks is situated just off the High Street in an area providing pedestrian access from the High Street to the Sainsbury superstore behind. The area is principally characterised by a variety of shops and commercial uses with some residential above. The buildings are of assorted ages and styles. Street furniture in the vicinity includes lamp posts, benches and litter bins in a traditional style, together with cycle parking stands, bollards and street cabinets. There are also various advertisements evident, which predominantly relate to shop signage and window displays, some of which are illuminated, although there are also some other forms evident including A-boards and a traditional poster display on the existing telephone kiosks.
 4. It is proposed that the existing telephone kiosks would be replaced with a modern one of traditional design, which would incorporate the proposed internally illuminated digital advertisement panel mounted as an integral part of it. The dimensions of the proposed LED digital display are given as 1650mm x 928mm. The display would be internally illuminated to a maximum brightness of 280.00cd/m². A sequence of static images would be displayed, with each image changing to the next by smooth fade not more than once every 10 seconds. The advertisement panel would face towards the High Street.
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5. When viewed on entering the area just off the High Street the advertisement would be seen in a predominantly commercial context with the purpose built superstore and part of its parking and delivery area as the backdrop. The advertisement would not be significantly out of keeping in this context and furthermore would not be visible in views from the superstore towards the High Street.
6. However, in views from the High Street and North Street, where the imposing front elevation of Beech Hurst is an important historic feature in the street scene, the advertisement would be clearly visible to the side of the listed building. While some shop fronts would also form part of such views, there are no other significant standalone illuminated advertisements in this vicinity and there is little street clutter, with a lamp post of traditional design being the only other notable item of street furniture to that side of the listed building. As a result, the proposed digital display, featuring changing images, would not be in keeping with the setting of the listed building, notwithstanding the commercial buildings nearby. The effects of this would be exacerbated in the night-time street scene when the illuminated nature of the advertisement would be most apparent. For these reasons, the proposal would be detrimental to the amenity of the area, particularly by virtue of its negative relationship with Beech Hurst. Accordingly, it would also fail to preserve or enhance the character or appearance of the TCHCA.
7. I therefore conclude that the proposed advertisement would have a significant negative impact on the appearance of the built environment and accordingly the amenity of the area, including the character and appearance of the TCHCA, would be harmed.
8. I note the various matters raised by the appellant, including that the area is already well-lit commensurate with the town centre location and that the level of illumination of the advertisement would be controlled by a light meter and limited to a maximum of 280.00cd/m² during darkness. I also acknowledge that the shop fronts in the vicinity, many of which are relatively modern in character, display various signs with multiple colours, styles, fonts, positions and sources of illumination. However, these factors do not outweigh my findings above.

Conclusion

9. The Council has drawn my attention to Policy DM2 the adopted Poole Site Specific Allocations and Development Management Policies DPD 2012, which it considers to be relevant to this appeal and I have taken it into account where material. Given that I have concluded there would be no harm to amenity, the proposal would not conflict with these policies.
10. For the reasons given above, I conclude that the appeal should be dismissed.

Catherine Jack

INSPECTOR