

Appeal Decision

Site visit made on 11 April 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

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

Decision date: 03rd May 2017

Appeal Ref: APP/R3705/Z/17/3168258

**Heart of England Conference Centre, Meriden Road, Chapel Green,
Fillongley, Coventry, Warwickshire, CV7 8DX**

- The appeal is made under section 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 Heart of England Promotions against the decision of North Warwickshire Borough Council.
 - The application Ref PAP/2016/0462 dated 10 August 2016 was refused by notice dated 12 January 2017.
 - The advertisements erected are two post-mounted banner signs on the site boundary, facing Meriden Road and Wall Hill Road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The advertising units were erected prior to the application to the Council.
3. The Council has referred to policies NW10 and NW12 of the North Warwickshire Core Strategy, which generally concern development considerations and the quality of development. Development plan policies cannot be decisive because the regulations to control advertisements and the National Planning Policy Framework (the Framework) indicate that decisions should be made only in the interests of amenity and public safety, taking account of cumulative impacts. However, these policies have been taken into account as a material consideration in this appeal.
4. The sign which fronts Meriden Road lies within an area of land designated as Common Land. Whether the signs need Section 38 Consent of the Commons Act 2006 is not a matter before me in this appeal.

Main issue

5. The site is located within the Green Belt. Paragraph 81 of the Framework indicates, amongst other things, that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to retain and enhance visual amenity. The Council raises no issues of public safety, subject to conditions. Although the site is in a prominent location next to Meriden Road there is no evidential basis to form a contrary view. The main issue is therefore the effect of the advertisements on visual amenity.
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Reasons

6. The two banner signs are located at the boundary of the site with Meriden Road and Wall Hill Road at the Heart of England Conference and Events Centre. Each sign is double sided, trapezoidal in shape, around 5.3 m high and approximately 3.7 m² in area, consisting of Perspex panels mounted in a steel frame and internally illuminated by LED lighting.
7. The appeal site is located within a rolling landscape in the open countryside. The area is sparsely developed. The nearest dwelling to the appeal site is Moor House Bungalow. There is a small cluster of dwellings beyond the bungalow and at Chapel Green. The immediate area around the site has no street lights.
8. The sign company supplying the signs has advised that the output of a sign is 200 candelas and because the sign has only the letters illuminated it would be "a lot less at approximately 25 candelas". However, no technical documentation has been submitted to substantiate the 'output' of the signage. In addition, the application form indicates an illuminance level of '350 cd/m'.
9. The appellant refers to the Institute of Lighting Engineers' *Guidance Notes for the Reduction of Obtrusive Light GN01:2011* and considers that the application site falls into Zone E2 being rural, with low district brightness and "village or relatively dark outer suburban". This covers all poorly lit and unlit areas where there is no street lighting or street lighting is negligible. However, the up-to-date applicable guidance is the Institute of Lighting Engineers' *Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements 2015*. The appellant has mentioned this guidance but has not submitted documentation to support the contention that "for illuminated signs with an area of 2-5 m², 600 candelas is permitted".
10. I visited the site during daylight and the hours of darkness. Despite the submissions by the appellant regarding the limited 'output', I found the signs to be unduly prominent when illuminated. This is because the white and red illuminated lettering contrasts with the black background of the signs. The signs appear visually intrusive and add to the level and clutter of illumination at the site in this sensitive Green Belt location. This is within the context of the lack of street lighting and dark surroundings. Paragraph 125 of the Framework indicates that planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
11. I find that the two banner signs conflict with the Framework and do not constitute sustainable development. This is because they have an appreciable detrimental impact on their surroundings and a harmful effect on the visual amenity of this Green Belt location, through their height, scale and illumination in the hours of darkness.

Other Considerations

12. The appellant considers that the location and number of the signs is established in principle by the approved site plan for the planning permission for a hotel at the site (ref: PAP/2013/0391). However, although the approved plans show locations for the signage, no evidence has been submitted of any approved details of the proposed signs.

13. The appellant advises that before the signs were erected, taxis coming to the site after dark to pick people up often had difficulty finding their way. This resulted in taxis driving past the site and turning around, sometimes in private driveways. Now that the signs are in place, the appellant submits that this problem does not occur and the signage has therefore reduced road disruption at night.
14. The main entrance to the site from Meriden Road is a wide gateway bounded by two substantial high spot lit walls either side and with a flag pole and two lanterns on the top of each wall. Each wall has signage on its front elevation indicating 'Heart of England Events and Conference Centre'. In my opinion, it is likely that local taxi operators would become aware of the location of the site from their visits to drop off and pick up customers. Moreover, the other illumination at the site through the coloured lights on the buildings and lit main entrance would make it visible from Meriden Road for passing traffic in the evenings.

Conclusion

15. All other matters raised have been taken into account. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR