

Appeal Decision

Site visit made on 26 June 2017

by Helen K Heward BSc (Hons) MRTPI

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

Decision date: 5 July 2017

Appeal Ref: APP/X4725/Z/17/3176538

117 Dewsbury Road, Wakefield, West Yorkshire WF2 9BQ

- 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 Insite Poster Properties Ltd against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 17/00592/ADV, dated 27 February 2017, was refused by notice dated 12 April 2017.
 - The advertisement proposed is described as “replacement of an existing illuminated 48-sheet advertising display with an illuminated 48-sheet digital LED display”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description from the application.

Main Issue

3. The effect of the sign upon the visual amenity of the site and locality.

Reasons

4. The locality is on the edge of the city in a mixed use area characterised by terraced dwellings with allotments and cricket pitch interspersed with commercial uses including car showrooms and shops.
 5. The sign is proposed to replace a large sign on the gable end of 117 Dewsbury Road (No 117), a two storey end of terrace. The proposed sign would be of the same width and height (approximately 6m x 3m) and positioned in roughly the same position, occupying most of the gable wall at first floor level.
 6. The proposed internally illuminated LED sign would be of a very different format and materials to the existing sign. It's bright LED display would introduce an overly prominent large bright advertisement feature. It would stand out in stark contrast to the more muted recessive tones of the gable brickwork of No 117 and the allotments in the foreground. In these ways it would unduly intrusive and prominent and would detract from the visual amenity of its surroundings.
 7. Views would be mainly restricted to eastbound receptors approaching the city and other signs would be seen in long range and wide views, but I am not persuaded that other signs or the set-back would mitigate the impacts.
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8. There is a significant amount of signage along the road corridor that runs through the area. Existing signage on commercial premises is seen in the context of the commercial uses. Most of the signs I saw that were of a similar scale to the proposal appeared to be poster/board signs with external illumination. I did not see any other LED signs of this scale and size. Although signage is a familiar feature of the locality there is a rather tense and fragile visual harmony in this mixed use locality.
9. The Council does not raise concern with regard to public safety nor do they rely upon any specific guidance regarding the location of digital advertisements. The site is not within a conservation area or adjacent to other heritage assets. But that is not to say that the sign would not have an appreciably adverse impact upon the visual amenity of these surroundings.
10. There is a significant amount of illumination along the road corridor from other signage, commercial premises and street lighting. No video or message sequencing or special effects are proposed and conditions could control the level of illumination, rotation of the adverts and such matters. Displays of this type can track and replicate ambient light conditions and the appellant would accept a condition limiting illumination to 300cd/m² during daylight hours and 150cd/m² at night. But these would not fully mitigate the adverse impacts.

Other matters

11. There is little evidence before me about the history of the existing sign or of advertising along Dewsbury Road and I attach limited weight to this.
12. The Council refer to Policy D9 and D16 of the Replacement Unitary Development Plan. However, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the Framework and the Planning Practice Guidance (PPG) require that decisions on advertisements be made only in the interests of amenity and public safety. Therefore these policies cannot be decisive in this appeal.
13. I am informed that the existing sign has been in place for over 10 years, has a consent dating back to 1973 and is displayed with deemed consent under Class Part 1, Schedule 3 of the Regulations. The lack of evidence of this limits the weight I attach to it. Matters pertaining to precedent have been raised but I have considered this application on its own merits.

Conclusion

14. For the reasons given, and having considered all other matters raised, I conclude that the proposed advertisement would have an appreciably negative impact upon the visual amenity of the locality. The harm to amenity outweighs the reasons given in favour of the proposal. Therefore the appeal is dismissed.

Helen Heward

PLANNING INSPECTOR