
Appeal Decision

Site visit made on 22 August 2017

by R J Jackson BA MPhil DMS MRTPI MCMi

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

Decision date: 04 September 2017

Appeal Ref: APP/Q1255/Z/17/3176316

Parkstone Food & Wine, 25 Bournemouth Road, Parkstone, Poole, Dorset BH14 0EF

- 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 Mr Serkan Yildirim, EFE Limited against the decision of Poole Council.
 - The application Ref APP/17/00258/A, dated 23 February 2017, was refused by notice dated 20 April 2017.
 - The advertisement proposed is a projecting LED illuminated box sign with three messages.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The advertisement was being displayed at the time of my site visit.

Main Issues

3. The main issues are the effect of the advertisement on:
 - the character and appearance of the Ashley Cross Conservation Area (the ACCA); and
 - public safety.

Reasons

Conservation Area

4. The appeal property is the end of a terrace of properties with a gable frontage on the north side of Bournemouth Road with a shopfront on the ground floor. The terrace, which slopes down to the west, is made up of similar buildings although one is three storeys in height. The appeal property, like the other buildings in the terrace, has a fascia sign above and across the shop front. The individual letters of the fascia sign on the appeal property are internally illuminated, and there are various 'stick-on' advertisements on the shopfront window.
5. At the time of my site visit there were three free-standing advertisements on the footway in front of the premises and a small, non-illuminated, projecting

sign below the appeal advertisement. As well as the fascia signs there are various other advertisements in this commercial area including on street furniture such as at bus stops and taxi ranks. The area is illuminated with street lighting.

6. The building is locally listed, and thus is a non-designated heritage asset, and within the ACCA. Within the Ashley Cross Conservation Area Character Appraisal and Management Plan (the CACAMP) the building is identified, along with the remainder of the terrace and the imposing Post Office building next door up the hill, as positive buildings within the Conservation Area.
7. The CACAMP indicates that signs and advertisements should be carefully designed to enhance or better reveal the significance of the Conservation Area and sited to minimise street clutter, with particular care taken to keep scale, materials, illumination and colours in context with the Conservation Area. The CACAMP also states that advertisements should be discreet and appropriate for the site and building. Reference is made within the CACAMP to the Shopfronts and Shop Signage Supplementary Planning Guidance (the SPG). The SPG indicates that projecting box signs will only be permitted where they preserve or enhance the character and appearance of the area. It goes on to state that a simple projecting or hanging design of sign should be used.
8. The advertisement is located on the pilaster on the right hand sign of the frontage. Even during the day when I visited the appeal site, the advertisement appears as an extremely bright and visually intrusive element. The continually moving image attracts the eye and stands out against the side elevation of the Post Office which projects slightly further forward than the appeal property. The pixelated nature of the advertisement, made up of small individual elements, and the animation also adds to the intrusion caused by the advertisement. This means that it harms the amenities and thus the character and appearance of the ACCA to which special attention should be paid in line with legislation¹.
9. Even when viewed downhill from the east for the same reasons the advertisement would also be intrusive, although it would be seen against other small projecting signs and, when extended, the awning over the shopfront.
10. Even if the animation were to cease, the luminance, or brightness, and pixelated nature of the advertisement would be harmfully intrusive in the street scene and thus harmful to the character and appearance of the ACCA.

Public safety

11. The national Planning Practice Guidance (the PPG) gives advice on the main types of advertisement which may cause danger to road users². This includes advertisements which, because of their colour, could be mistaken for, or confused with, traffic lights, and advertisements which are subject to frequent changes of the display, as well as successive individual advertisements which do not display the whole message.
12. Although the advertisement is set some distance from the traffic signals at the junction of Bournemouth Road/Commercial Road/Springfield Road/Church Road the signage is red in colour and adds to confusion to drivers approaching that

¹ Section 72(1) Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

² Reference ID: 18b-068-20140306

junction from the west. The frequent, almost incessant, changes to the display, as well as the partial display of the message, acts as a distraction to those driving along Bournemouth Road where there are already existing highway safety hazards from those using the bus stop and taxi rank and from pedestrians crossing the road. This distraction is harmful to public safety.

Other matters

13. I have taken into account Policy PCS23 of the Poole Core Strategy and Policies DM2 and DM7 of the Poole Site Specific Allocations and Development Management Policies Development Plan Document which seek to protect amenity including Conservation Areas, ensure that heritage assets are enhanced, and not to result in detriment to highway safety and so are material in this case. Given I have concluded that the proposal would harm amenity and public safety, the proposal conflicts with these policies.
14. I have also taken into account paragraphs 67 and 135 of the National Planning Policy Framework which indicate that poorly designed advertisements can have a negative impact on the appearance of the built environment, and that a balanced judgement will be required having regard to the scale of any harm and the significance of the non-designated heritage asset.
15. I have taken into account the benefit of the advertisement to economic development through the operation of the business, but this benefit does not outweigh the harms I have identified. Similarly, the low power input needed to display the advertisement is of little weight in my decision.
16. The appellant has referred to existing advertisements nearby in the ACCA, but these, while physically larger, are more discrete and have less of an effect on amenity.

Conclusion

17. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity and public safety.

RJ Jackson

INSPECTOR