



Appeal Decision

Site visit made on 8 July 2019

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th July 2019

Appeal Ref: APP/E3715/Z/19/3225847

Advertising Right, 84 Newbold Road, Rugby CV21 2NQ

- 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 Henry Thomas, on behalf of Space Outdoor, against the decision of Rugby Borough Council.
 - The application Ref R19/0156, dated 23 January 2019, was refused by notice dated 25 February 2019.
 - The advertisement proposed is the replacement of 3no. 48 sheet advertising hoardings with 1no. 96 sheet internally illuminated advertisement unit.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The site address is given as 162 Newbold Road on the Council's decision notice and the application form, and 84 Newbold Road on the appeal form. I have used the latter as this is the more accurate address.
3. The Rugby Borough Local Plan (LP) was adopted 4 June 2019. Consequently, the emerging policy referred to in the Council's reason for refusal is now part of the adopted development plan. I have taken this into account in my decision. I do not consider that any party has been prejudiced by my doing so.

Main Issue

4. The main issue is the effect of the proposed advertisement hoarding on the character and appearance of the area.

Reasons

5. The appeal site is a corner plot at a crossroad junction. The site contains three 48 sheet advertisement hoardings. These are set back behind a grassed verge. The site is adjacent to semi-detached housing and opposite a vacant commercial building. Larger commercial buildings are on the opposite side of Wood Street, these are low rise and set back from the highway. Therefore, the site is a transitional point between commercial and residential uses. Being adjacent to a residential area the site acts as a gateway into the residential part of the road. The adjacent highways are relatively narrow and are of a domestic character. Furthermore, the character of the appeal site is domestic in scale and appearance. As such, the site makes a neutral contribution to the character and appearance of the area.

6. The proposal consists of an illuminated 96 sheet hoarding which would replace the existing hoardings. The National Planning Policy Guidance favours commercial areas for large advertisements where the context includes large buildings and main highways. Furthermore, the National Planning Policy Framework (The Framework) identifies that the quality of an area can suffer when advertisements are poorly sited and designed. The site is not within an area where commercial buildings are large, especially in terms of height. Consequently, the proposal would be disproportionate in scale in comparison to the site and its context. It would also pay little regard to the character of the adjacent dwellings and be demonstrably harmful to the appearance of the site and area. Although at a transition point, the advertisement would fail to respect the change in character from commercial to residential. The advertisement would therefore be an incongruous addition to the street scene.
7. Given that it would be illuminated, it would be of greater prominence than the existing grouping even though the advertising area would be reduced by 33%. It would also be an intrusive addition that would intensify the commercial nature of the site in this predominantly residential setting, being a single flat plane. In contrast, the existing hoardings are relatively subdued and less intrusive to the largely residential character they frame. The proposal would dominate the backdrop of buildings with a starkly prominent and broad feature. Although the proposal would not directly face the approved residential scheme opposite the site, it would nevertheless represent an anomalous feature within this increasingly predominantly residential setting.
8. The key views, submitted in evidence, reinforce my concerns and indicate to me that the reduction of coverage is a relatively insignificant gain to the appearance of the area. Therefore, whilst the proposal includes some benefits, such as modernising the appearance of the site and being of a simple rectilinear form, it would nevertheless be substantially harmful to the visual amenity of the area. Existing streetlighting would reduce the contrasting effect of the proposal. Furthermore, the level of illumination could be controlled by condition. However, these merits would not outweigh the harm identified to visual amenity. Furthermore, they would not countermand the harm of a large illuminated advertisement in this context.
9. Subsequently, the proposal would not accord with paragraph 132 of the Framework being harmful to the amenity of the area. In accordance with the Regulations, I have also taken into account the provision of the development plan so far as it is material. Consequently, the proposal would also fail policy CS16 of the Rugby Borough Council – Local Development Framework Core Strategy 2011, which requires development to be of an appropriate scale and design to not cause harm to the character and amenity of an area. The advertisement hoarding would also be contrary to policy SDC1 of the Rugby Borough Council Local Plan 2019, which amongst other things seeks all development to respond to the character of the area.
10. For the above reasons, and having taken into account all matters raised, the appeal is dismissed.

Ben Plenty

INSPECTOR