The Planning Inspectorate

Appeal Decision

Site visit made on 15 July 2019 by Hilary Senior BA(Hons) MCD MRTPI

by Susan Ashworth BA(Hons) BPL MRTPI

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

Decision date: 29 July 2019

Appeal Ref: APP/V4250/Z/19/3227342
104-108 Wallgate, Wigan, WN3 4AB

- 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 Richard Page, Insite Poster Properties Ltd against the decision of Wigan Metropolitan Borough Council.
- The application Ref A/19/86627/ADV, dated 23 January 2019, was refused by notice dated 20 March 2019.
- The advertisement proposed is described as erection of a digital advertising display.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. I have taken the description of development from the appeal form as it is more succinct than that on the planning application form.

Main Issue

4. The main issue is the effect of the advertisement on the amenity of the area.

Reasons

5. The Council have drawn my attention to a policy they consider to be relevant to this appeal and I have taken it into account where relevant. However, powers under the Regulations[1] to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance reiterates this approach.

6. The appeal site relates to the side elevation of 104-108 Wallgate which is situated at the junction of Great George Street. Wallgate, in this location is dual carriageway, one of the main access roads into Wigan town centre. The site is in a predominantly commercial area, with a variety of retail outlets, offices and manufacturing premises. These buildings are generally one or two

[1] The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

storey and therefore the advertisements associated with these uses are generally at a low level, smaller and are advertising the premises. They are therefore less prominent than the proposal. When approaching the site along Wallgate the proposed advertisement would be visible from some distance way due to the straight alignment of Wallgate.

7. The building is three-storey with estate agent offices at the lower level. The end elevation of the building is constructed of decorative brickwork, with horizontal elements reflecting the brickwork on the nearby railway bridge and the grey areas replicating the vertical alignment and position of windows. The proposed digital display would be sited on this elevation and would measure 5.3 metres by 2.6 metres in a landscape orientation with advertising images on a 10 second sequential rotation. There are two window openings on the ground floor on the host building and the proposed advertisement display would be located above these windows on the upper floors of the building.

8. Whilst I understand that the advertisement has been reduced in size from that of a standard size display, it would nevertheless be sizeable. The building is of no significant architectural merit but nevertheless the decorative brickwork appears to have been designed specifically for this elevation and is an attractive feature. The advertisement would cover and thereby obscure a substantial amount of brickwork and would thereby not relate well to this feature. Moreover, the advertisement would span almost the full width of the elevation and would be significantly larger than the window openings and as a result would appear dominant and out of scale with the host building.

9. Given the prominent location of the advertisement, the illuminated images would stand out, both during the day and at night, constituting further visual intrusion. Whilst I recognise that some of the buildings and structures in the vicinity of the site are of a large scale, the size and regular changing of the display would draw the attention of passers-by and add to its prominence, even if the level of illumination was within recommended limits and if the speed and frequency of image transitions were controlled. As such the proposal would dominate the street scene.

10. The conservation area is close to the site, on the far side of the railway bridge, but due to the road layout and orientation of the proposed advertisement, it would not be visible from the conservation area. As such I am satisfied that the proposal would preserve the character and appearance of the conservation area.

11. Nevertheless, for the reasons set out, the proposal, by reason of its size, changing images and illumination, along with its elevated position and prominent location, would be dominant and overbearing within the street scene. As such the proposal would harm the amenity of the surrounding area. In that respect the proposal is contrary to policy CP10 Design of the Wigan Local Plan Core Strategy, which although not decisive, seeks to ensure that new development integrates effectively with its surroundings.

Conclusion and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal should be dismissed.

Hilary Senior

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Susan Ashworth

INSPECTOR