



Appeal Decision

Site visit made on 12 November 2019

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 21st November 2019

Appeal Ref: APP/K0425/Z/19/3220932

The Riverside Club, Riverside Legion Hall, St Mary Street, High Wycombe, HP11 2HE

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
 - The appeal is made by Insite Poster Properties against the decision of Wycombe District Council.
 - The application Ref 18/07506/ADV, dated 7 September 2018, was refused by notice dated 7 December 2018.
 - The advertisement proposed is described as "Erection of a 6m by 3m internally illuminated digital advertising display. Display of illuminated static images on a 10s rotation. No special effects including animation, flashing, or fading. Illumination: Day max 600 candela/sqm. Night max 300 candela/sqm".
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Decision

1. The appeal is allowed and express consent is granted for the display of a 48 sheet internally illuminated sequential advertising digital display board at The Riverside Club, Riverside Legion Hall, St Mary Street, High Wycombe, HP11 2HE, in accordance with application ref 18/07506/ADV and the plans submitted with it. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the attached Schedule.

Procedural Matters

2. The Council altered the description of development to "erection of a 48 sheet internally-illuminated sequential advertising digital display board". As this accurately and more succinctly describes the proposed advertisement I have also used this description.
3. Following the refusal of the application the Council adopted the Wycombe District Local Plan (2019). I have therefore determined the appeal on the basis of policies DM31, DM35 and DM37 of this plan and not the policies in the Core Strategy or the Local Plan (2004) which have now been replaced.
4. The appeal site lies adjacent to the High Wycombe Conservation Area. Parts of the Grade I listed All Saints Church are also visible from the appeal site.

Main Issue

5. Accordingly, the main issues for the appeal are whether the works proposed would preserve the Grade I listed building known as All Saints Church, or any features of special architectural or historic interest that it possesses and

whether the works would preserve or enhance the character or appearance of the High Wycombe Conservation Area.

Reasons

6. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Policy DM31 of the Local Plan seeks to resist development which would adversely affect the setting of any listed building or conservation area, and this reflects the statutory duty defined in the Act. Planning Practice Guidance sets out that in assessing amenity the general characteristics of the area should be considered, and that the scale of advertisements should be in keeping with important historic, architectural or cultural features.
7. The Church of All Saints dates from the 11th Century, with parts of the structure being rebuilt and added to in the mid 18th and mid 19th Centuries. The building is a striking example of medieval ecclesiastical architecture and the west tower is a notable local landmark. Its significance lies in its antiquity and in the contribution it makes to the character of the area as a fine surviving example of a building of its type.
8. The appeal relates to the erection of a 48 sheet internally illuminated sequential advertising digital display board on land within the car park of the Riverside Legion Hall. The large sign would feature digitally illuminated images which would change every 10 seconds. The site adjoins a heavily trafficked elevated section of the A40 and the A404 roundabout.
9. In views from the south the advertisement would be visible in shared views of the town centre, which would include views of the tower of All Saints, one of a number of available views of the tower. From the south the view would also include the starkly modern University of Buckingham Campus Building, the functional form of the High Wycombe Fire Station and the large and imposing rear elevation of the Wycombe Swan Shopping Centre. These are large contemporary structures which provide a diverse setting for the older section of buildings which make up the town centre, and which dominate the streetscape in this part of the town. In this context the illuminated advertisement, although prominently visible, would not appear incongruous and would not significantly alter the wider setting of All Saints Church, which already encompasses a very varied townscape. Similarly, the proposal would not harm the setting of the Conservation Area as it would not appear obtrusive within the townscape which surrounds the site. The effect on the proposal on the significance of the heritage assets would therefore be neutral.
10. As I find no harm to the setting of the Conservation Area or the Listed Building, and consider that the sign would respect the general characteristics of the locality I find no conflict with policies DM31, DM35 and DM37 of the Local Plan, or with guidance in the National Planning Policy Framework which has similar aims. Therefore, for the above reasons, and having regard to all other matters raised, I conclude that the appeal is allowed.

Conditions

11. In addition to the five standard conditions set out in the Regulations and in the interests of clarity, in line with the appellants stated intentions, I have imposed further conditions relating to the degree of luminance, the nature of the changing images, and the extent to which the images will change. These conditions are necessary to ensure that the advertisement does not cause distraction to drivers and in the interests of visual amenity.

A Jordan

INSPECTOR

SCHEDULE OF CONDITIONS

1. The intensity of the illumination of the digital advertisement displays permitted by this consent shall be no greater than 300 candelas/square metres in the hours of darkness and the panel shall be fitted with a light sensor designed to adjust the brightness to changes in ambient light levels.
2. The display shall not change more than once every 10 seconds and the use of message sequencing for the same product is prohibited.
3. There shall be no moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs of any kind before, during or after the display of any advertisement.
4. The interval between each advertisement shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods).