

Appeal Decision

Site visit made on 3 December 2019 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by J Whitfield BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2019

Appeal Ref: APP/P2935/Z/19/3238082

Gable at 469 Cowpen Road, Blyth, NE24 5NF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Insite Poster Properties Ltd against the decision of Northumberland County Council.
 - The application Ref 19/01771/ADE, dated 31 May 2019, was refused by notice dated 27 August 2019.
 - The development proposed is replacement of an existing illuminated 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display.
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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.

Main Issues

3. The main issues are: (1) The effect of the advertisement on the visual amenity of the area, and (2) public and highway safety.

Reasons for the Recommendation

4. Amenity is not defined within the Regulations nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed hoarding would be in scale and keeping with important features.
5. There is an existing illuminated 48-sheet advertisement display on the side elevation wall of 469 Cowpen Road which is the site of this appeal. The distinctive character of the area is derived from rows of terraced properties of residential use. This section of Cowpen Road is predominantly residential in character although the host property and restaurant on the other side of the road have had their ground floors converted for commercial purposes. Nevertheless, by virtue of the design of the buildings the area maintains a

residential character. Despite the existence of commercial uses in the area, illuminated advertisements are not a prevalent feature.

6. By virtue of the sequential format of displaying advertisement, with changing images every 10 seconds or so, the proposed replacement digital display panel would appear more prominent than the existing internally illuminated 48-sheet advertisement display on the side elevation wall of 469 Cowpen Road. The type and design of the advertisement would detract from the street's quality along this section of Cowpen Road, and it would be visually harmful to the locality.
7. The appellant argues that the proposed replacement digital display would be near identical in size in terms of display active area compared to the existing internally illuminated 48-sheet advertisement display on the side elevation wall of 469 Cowpen Road. Despite this, the sequential format with changing images every 10 seconds or so would accentuate its impact on the street scene. Furthermore, whilst the area may be well lit due to street lighting on the opposite side of the road, and the intensity of the panel's illumination would accord with guidelines for illumination of advertisements¹, the proposal's illumination and changing images would be an incongruous feature which would compromise the character and appearance of the area, especially during the hours of darkness. The appellant further contends that night-time illumination would be reduced by up to 50% when compared to the existing unit but have not presented any evidence to support this assertion. In this location, the digital illuminated sequential display would be a discordant and unduly prominent feature. The type and design of the advertisement would detract from the street's quality along this section of Cowpen Road, and it would be visually harmful to the locality.
8. I conclude, therefore, that the advertisement would have a harmful effect on the visual amenity of the area. The Regulations seek to control advertisements in the interests of amenity and public safety. The Council has drawn attention to policies as material considerations. These have not been decisive, but the proposal would not meet with the objectives of the National Planning Policy Framework, Policies DC1 of Blyth Valley District Local Development Framework: Development Control Policies Development Plan Document 2007 (the DPD) and ENV2 of the Blyth Valley District Local Development Framework: Core Strategy (2007) (the CS) which seek amongst other things to ensure that development would not cause significant harm in visual terms to the character or quality of the surrounding environment.

Public and highway safety

9. The display would be located on Cowpen Road and would first become visible to drivers on approach from the west. On the approach to the display, drivers have to negotiate four priority junctions on Cowpen Road, namely, Maple Crescent, Coniston Road (signalised) and Sidney Gardens on the northern side and Tynedale Drive on the southern side. In addition, there is a signalised controlled pedestrian crossing within 10 metres of the proposed display.
10. The appellant contends that, whilst the display may be seen over a longer distance, the content of advertisements would not. Nevertheless, the digital

¹ PLG 05: The Brightness of Illuminated Advertisements (Institute of Lighting Professionals 2015)

display of the proposed advertising is by its very nature designed to grab the attention of passers-by whether they be drivers or pedestrians. Drivers are likely to be distracted in trying to figure out the advertising content as they approach, and the changing sequence is likely to draw more focus. Thus, the proposed illuminated 48-sheet digital advertisement display is likely to have a negative effect on public and highway safety along this section of Cowpen Road.

11. Concerns regarding public and highway safety have been raised by neighbours. The Council's Highways Development Management Team having visited the site, share similar concerns. The appellant was requested to submit safety report in order to enable a full assessment to be made of the impact on highway safety. The request detailed what should be included within the report². However, no such report has been provided.
12. I conclude, therefore, that the advertisement would have a harmful effect on public safety. Whilst not decisive, the proposal would not meet with the objectives of the National Planning Policy Framework nor Policies DC1 of the DPD and ENV2 of the CS which seek amongst other things to ensure that new development have no adverse impact on public rights of way.

Conclusion and Recommendation

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

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

J Whitfield

INSPECTOR

² Council email of 22 July 2019 16:17