



Appeal Decision

Site visit made on 14 January 2020

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 24th January 2020

Appeal Ref: APP/M0655/Z/19/3235850

**122-126 Bridge Street, Bewsey and Whitecross, Warrington, Cheshire
WA1 2RU**

- 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 Critchley against the decision of Warrington Borough Council.
 - The application Ref 2019/34861, dated 17 April 2019, was refused by notice dated 28 June 2019.
 - The advertisement proposed is erection and display of a static (non-moving) LED backlit (luminance controlled) digital advertisement hoarding (6,196mm x 3,147mm x 160mm).
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Critchley against Warrington Borough Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed advertisement on visual amenity.

Reasons

4. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance (the PPG) reiterate this approach. Therefore, while I have taken account of the policies and guidance that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.
5. The appeal site is located within the Bridge Street Conservation Area (the CA). I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
6. Although amenity is not defined exhaustively within the Regulations, the relevant factors include the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest. The PPG states that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood, including for

example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

7. The appeal site is the 3 storey gable end of Nos 122-126, the Alexandra Buildings. The building is a non-designated heritage asset that faces onto Bridge Street. It has a long front façade with 3 canted bays with architectural detailing above the ground floor commercial frontage, including ornate relief panels and terracotta banding at first and second floor levels. In comparison, the gable end appeal site is an unadorned and plain brown brick wall. The neighbouring Grade II listed building, The Academy, is set back from the street and the appeal site faces onto its landscaped frontage.
8. The Bridge Street CA includes the buildings to either side of Bridge Street and extends to include the Warrington Bridge. The CA represents the historic core of Warrington and its significance derives in part from the consistency of scale and ornamentation of its commercial buildings dating from the Victorian and Edwardian eras. In this context, and notwithstanding the plain gable end, the appeal building makes a positive contribution to the significance of the CA.
9. The proposed advertisement would be approximately 6 metres wide and 3 metres high. It would be in a significantly elevated position, at the height of the second floor windows of the property. It would be an internally illuminated LED display showing sequential static images, the brightness and the frequency of which could be controlled by planning condition.
10. By virtue of its end of terrace location, the advertisement would not be visible from locations towards the town centre end of Bridge Street. However, it would be visible from the end of Bridge Street near to The Academy. By virtue of its prominent and elevated location, size and design, it would also be clearly visible from locations in and around Warrington Bridge and the associated busy road junctions. While the advertisement would be seen against the large blank gable end, it would also be seen in the context of the façade of the appeal building, the adjacent listed building and the historic buildings that characterise the wider area and the CA.
11. The illuminated LED technology with its static sequential imagery would be an overtly contemporary form of advertisement. It would appear discordant in juxtaposition with the front elevation of Nos 122-126 and the neighbouring listed building with its verdant frontage. Consequently, the advertisement would be visually obtrusive and it would be out of keeping with its historic surroundings. I accept that the plain gable end does not make a positive contribution to the CA as a whole. However, the advertisement would be an incongruous modern feature that would detract from the historic and architectural quality of the appeal building and its surroundings.
12. The Bridge Street Conservation Area Appraisal Adopted December 2006 notes the proliferation of ugly and modern signage that is poorly related to the historic buildings within the CA is detrimental to and has a negative impact on townscape quality. In this respect, the appeal advertisement would be overly large and clearly contemporary and it would not relate well to the host building or the surrounding historic built environment. Accordingly, the proposed advertisement would contribute to cumulative adverse effects on the character and appearance of the area. I am not persuaded that the adverse visual effects

could be mitigated by controlling the illumination and the frequency of the sequences.

13. Therefore, I conclude that the proposed advertisement would be harmful to visual amenity. It would fail to preserve or enhance the character or appearance of the Bridge Street CA. Consequently, and although not determinative in my decision, it would conflict with the aims of Policies QE7 and QE8 of Warrington Borough Council's Local Plan Core Strategy Adopted July 2014. These require, among other things, that proposals enhance the character and appearance of the street scene and the townscape, and that proposals affecting heritage assets enhance the asset's contribution to the special qualities and local distinctiveness of the area. It would also conflict with the guidance in the Design and Construction Supplementary Planning Document Adopted October 2010, including that traditional principles should form the basis for advertisements in Conservation Areas.

Other Matters

14. My attention has been drawn to advertisements elsewhere, including some that were allowed on appeal¹. Full details have not been provided. Nevertheless, based on the evidence before me, they appear to differ from the appeal advertisement in a number of ways including the nature of the appeal site and the proposal, its potential impacts, location and surrounding context. Appeals relating to the replacement of existing advertisements, impacts on public safety and buildings and areas that are not heritage assets are not directly comparable to the appeal advertisement. Moreover, they do not provide a visual context or a justification for the proposal.
15. I note the suggestion that the advertisement would promote local shops and services, thereby contributing to the regeneration of the town centre. However, there is little before me to indicate that the displays would be limited to promoting local facilities only or that the advertisement would make any significant contribution to regeneration of the area. Therefore, this is not a matter that weighs in favour of the proposal.

Conclusion

16. For the reasons set out above, I conclude that the proposed static LED backlit digital advertisement would harm the character and appearance of the area and it would be harmful to amenity. The appeal should therefore be dismissed.

Sarah Manchester

INSPECTOR

¹ Refs APP/U4230/H/13/2210514, APP/M0655/Z/17/3178314, APP/B4215/H/12/2177324, APP/M0655/Z/19/3221811