
Appeal Decision

Site visit made on 7 January 2020 by Hannah Ellison BSc (Hons) MSc

Decision by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 07 February 2020

Appeal Ref: APP/M0655/Z/19/3241743

54-56 London Road, Warrington, WA4 6HN

- 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 Insite Poster Properties Ltd against the decision of Warrington Borough Council.
 - The application Ref 2019/35421, dated 12 July 2019, was refused by notice dated 14 November 2019.
 - The advertisement proposed is the replacement of an existing 48 sheet advertisement display with a 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.

Preliminary Matter

3. The Council has drawn my attention to a number of policies it considers to be relevant to this appeal and I have taken them into account where relevant. However, powers under the Regulations¹ 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 (the Framework) and the Planning Practice Guidance reiterates this approach.

Main Issue

4. The main issue is the effect of the proposal on the visual amenity of the area, including the character and appearance of the Stockton Heath: London/Grappenhall Road Conservation Area and the setting of the adjacent Grade II listed building.

Reasons

5. The proposal seeks permission for the replacement of an existing non-illuminated 48 sheet poster advertisement on the gable end of No 54-56 London Road with a digital, illuminated advertisement.

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

6. The scale and positioning of the proposal would be similar to the existing poster advertisement, however it would vary significantly as it would display internally illuminated, digital images. Whilst the images would be static, they would change on a 10 second sequential rotation and would be significantly sharper images to those currently displayed. All these factors would cause the proposal to be more prominent and overly dominant in the street scene than the existing advertisement.
7. I note that the appellant has offered to limit luminance levels by condition to try to ensure the effect of the proposed advertisement is comparable to the existing advertisement on bright, sunny days. However, I am not persuaded that a non-illuminated poster display is of direct comparison to the proposed digital advertisement, particularly during darker months and at night, irrespective of any reduction in luminance levels. As such, this proposal would be significantly more noticeable.
8. The site is located within close proximity to a busy junction in a vibrant shopping area of Stockton Heath. It is within the Stockton Heath: London/Grappenhall Road Conservation Area (the 'CA'), the character and appearance of which is partly defined by the early 19th century buildings and mixture of shops, pubs and housing. Building frontages and prominent sites are uncluttered and this contributes positively to the character of the CA. The advertisement would be read in context of the busy high street. However, there are very few examples of advertisements above shop front level, particularly large digital displays. This proposal would erode the established character of the area as it would be a visually intrusive and highly prominent addition in the street scene. As such, it would fail to preserve or enhance the character or appearance of the CA.
9. The site is also immediately adjacent the Red Lion public house and opposite the Mulberry Tree Inn public house, both of which are Grade II listed buildings. The latter is noted for its decorative brick and stone detailing, ornate fenestration and imposing features including tall chimney stacks and steep gables. The Red Lion's significance is largely derived from the symmetrical window arrangement on the front elevation, particularly of the central, early part of the building. Both are good examples of 19th and 20th century buildings, which form a group in a prominent location and thus make a significant contribution to the character and appearance of the CA.
10. The proposed advertisement would be within the setting of both buildings and would occupy a raised positioning largely in line with the first floor of the Red Lion. As such, due to its positioning, digital design and illumination, it would be a highly prominent and incongruous addition which would dominate and thereby detract from the setting of the listed buildings. Therefore, it would fail to preserve their setting.
11. In terms of the approach set out in paragraph 193 of the Framework, great weight should be given to the asset's conservation. Given the above, this proposal would cause less than substantial harm to the significance of both the CA and the listed buildings. Paragraph 196 of the Framework states that where a development proposal would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
12. It is acknowledged that the proposed advertisement could display real-time content for local and regional businesses, and the Council could be provided

with an advertising slot for localised information. Whilst the display of up-to-date local information may be of some benefit to the community, there are no mechanisms which would ensure this is how the advertisement would be used in perpetuity. As such, I consider the public benefits of the proposal to be limited.

13. Therefore, I conclude that this proposal would neither preserve or enhance the character or appearance of the CA or preserve the setting of the adjacent listed buildings. Whilst this would amount to less than substantial harm to the significance of the heritage assets, the limited public benefit arising from the proposal would not outweigh that harm which carries great weight. As such, it would conflict with guidance in the Framework and policies QE7, QE8 and SW1 of the Warrington Borough Council Local Plan Core Strategy, July 2014 which, although not decisive, collectively seek to ensure proposals contribute positively to and reinforce local distinctiveness and protect and enhance the setting of heritage assets.

Conclusion and Recommendation

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

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

15. 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