
Appeal Decision

Site visit made on 18 February 2020

by Matthew Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th March 2020

Appeal Ref: APP/C3620/Z/19/3242064

1 Sunmead Parade, Guildford Road, Leatherhead KT22 9AL

- 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 Clear Channel UK against the decision of Mole Valley District Council.
 - The application Ref MO/2019/1521/ADV, dated 26 July 2019, was refused by notice dated 24 October 2019.
 - The advertisement proposed is described as 'upgrade of existing 48 sheet advert to support digital poster'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Regulations¹ make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons

4. The proposed illuminated display would measure approximately 6m x 3m, comparable in width, height and location to an existing non-illuminated advertisement which occupies the gable wall of a building. Unlike the existing advertisement, the proposal would be internally illuminated², not exceeding 300cd/m² at any time during the night, with sensors to control its illumination throughout the day depending on the ambient light levels.
5. The street is fronted by an assortment of buildings which differ in height and style and streetlighting is present along its length. The proposed advertisement would be situated at the end of a short terrace which is occupied by commercial uses at ground floor level, some of which include illuminated signage which is visible in the street. However, the commercial activities are restrained by the modest scale of the buildings in the street, the prevalence of

¹ The Town and Country Planning (Control of Advertisement) (England) Regulations 2007

² In accordance with The Institute of Lighting Engineers: The Brightness of Illuminated Advertisements, Professional Lighting Guide 05, 2014

nearby residential properties, and the presence of street trees and other vegetation. Moreover, other advertisements in the area appear more discreet and overall the appeal site's surroundings have a suburban character which is not overtly commercial.

6. I do not dispute the appellant's assertion that the existing advertisement has been in situ for a period in excess of 10 years. I also saw on my site visit that the advertisement is eminently visible in the street due to its size and the relative straightness of the road which offers relatively open and uninterrupted views of it. Be that as it may, the illumination and regular changing images associated with the proposed advertisement display would appear conspicuous and at odds with the more subdued appearance of the existing advertisement and the character of the street.
7. Even though the illumination of the display would be significantly reduced at night, and despite the presence of other advertisements nearby, I could see no other comparable illuminated advertisements on the same scale or as obtrusive in the street as the proposed display. As such, I find that the proposal would harm its character and appearance.
8. I have considered the conditions suggested by the appellant to secure controls over the display of images. However, these would not overcome the harm I have identified as they would not address the overall prominence of the advertisement resulting from the digital display, nor would they suitably address the effect of the constant digital illumination or changing images which would contribute to that harm. I do not consider therefore that these conditions, or others, would be sufficient to mitigate the harm to visual amenity which I have identified.
9. Consequently, I find that the proposal would harm the visual amenity of the area. It would also conflict with Policy ENV36 of the Mole Valley Local Plan 2000 and Policy CS14 of the Mole Valley Local Development Framework Core Strategy 2009 which, insofar as is relevant to this appeal, seek to respect the character of the area and control advertisements taking into account the interests of amenity.

Conclusion

10. For the reasons given above, the appeal is dismissed.

Matthew Woodward

INSPECTOR