
Appeal Decision

Site visit made on 10 March 2020

by JP Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2020

Appeal Ref: APP/V3310/Z/20/3245578

56-66 Mercure Bridgwater Hotel, Eastover, Bridgwater, Somerset TA6 5AR

- 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 Sedgemoor District Council.
 - The application Ref 08/19/00180 CM, dated 7 October 2019, was refused by notice dated 17 December 2019.
 - The advertisement proposed is a digital advertising display.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effects on the amenity of the area, including the character and appearance, heritage assets;
 - the effect on the adjacent restaurant and hotel bedrooms and;
 - the effects on public safety.

Reasons

Amenity

3. The appeal site is on a very prominent corner at a crossroads, on the main road through Bridgwater. It is close to the town centre and directly linked by road and footpath. The character of the area is a transitional one between town centre uses, shops and a developing residential character to the east. The buildings are a mix of architectural styles and periods, but the building lines are almost continuous and close to the roads.
4. The appeal advertisement would be in front of the contemporary Mercure Hotel. This is a striking building, as the massing is broken up into distinct sections each with vibrant colours. The colours and massing vary, which together with its recessed siting, allows the building to flow around the corner, thereby creating a landmark to Bridgwater.
5. The advertisement would be 6m x 3m, set within a surrounding frame and raised above ground level. The application details specify that the digital

display would change every 10 seconds. Due to its size, position and nature, the advertisement would be overly dominant from the northern and eastern approaches to the crossroads, so that the eye would be less drawn to the landmark hotel building. It would also detract from the form of the building and the perception of its flow around the corner. It would undermine the integrity and importance of the building, and its presence from the approaches to this crossroads.

6. There are three Grade II listed buildings in the vicinity of the site. Cobblestones Public House is closest, fronting Eastover, and is notable for its formal proportions and detailing. The nature of the advertisement would detract from the simplicity and harmony of this building, particularly when seen from the east. The next nearest building is 5 Monmouth Street, a small residential property, lying beyond the nearby Methodist Church, which gives it separation from the appeal proposal. The other listed building is St. John's House, however this is sufficiently distanced to be unaffected.
7. I have not been made aware of any historic or cultural significance which connects these buildings to the appeal site. However, the advertisement would harm the setting of Cobblestones Public House.
8. The Council have provided a map showing the intended extension of the Bridgwater St. Johns Conservation Area. However, the extension does not yet appear to be formally designated and accordingly I have not given this aspect weight. The proposal is sufficiently distanced from the original Conservation Area to avoid harm.
9. Notwithstanding this, I conclude that the proposal would be harmful to the character and appearance of the area, including the setting of a heritage asset. I have had regard to Policies D2 and D26 of the Sedgemoor Local Plan, February 2019, which seek to improve the character of the public realm and protect heritage assets, and so are material in this case. Given my findings, the proposal would conflict with these policies.

The effect on the adjacent restaurant and hotel bedrooms

10. The advertisement would be also sited adjacent to a ground floor restaurant and in front of some of the first floor bedrooms. The Council's third reason for refusal suggests that the advertisement would spoil their outlook and daylighting, thereby undermining their popularity and viability. I am also aware of the submitted correspondence expressing concern.
11. However, the advertisement would only be adjacent to one small section of the restaurant's glazing and there are other windows which would be unaffected. Similarly, there could be some impact on bedrooms, but I am not aware of any evidence that they would not still be lettable. In any event, the impact would be localised to only a couple of rooms. I therefore conclude that the proposal in this respect is not harmful.

The effect on public safety

12. The appeal site is adjacent to a major crossroads. The A38 dual carriageway forms one spine, which is the main route through Bridgwater and a connection between two motorway accesses. The crossroads is also formed by St. John Street which has two lanes in a western direction and Eastover which connects to the town centre. Consequently, this is a very busy junction. The Planning

Practice Guidance section on advertisements highlights their potential hazard at major junctions, particularly digital signs.

13. There is also a signalled controlled pedestrian crossing point directly opposite the intended position of the advertisement. This provides an important pedestrian route across an otherwise car dominated environment and links the extensive residential area to the east with the town centre.
14. The County Highways Officer objected to the proposal as it would distract from the traffic signals, although the appellants consider they would be distinguishable. The advertisement and traffic signals would be seen together on the northern approach. The advertisement is substantially larger than the traffic signals and with a changing digital display, it is likely to attract attention away the traffic signals. I therefore consider it has the potential to distract the concentration of motorists and, even if momentarily, could impair the timing and direction of their movements as well as the effectiveness of the highway signage. There is also potential conflict with other users, including cyclists. Similarly, pedestrians could be distracted from their safe passage.
15. The level of luminesce could be controlled by condition, and the appellants have suggested reasonable levels. However, the effect of the digital and changing display would still be overtly distracting. I therefore conclude that the advertisement would jeopardise the safety of a range of users. I have had regard to Policies D13 and D14 of the Sedgemoor Local Plan, February 2019, which promote highway safety for all users, and so are material in this case. Given my findings, the proposal would conflict with these policies.

Conclusion

16. Notwithstanding my finding on the effect on the hotel itself, this does not outweigh the significant harm I have identified to the character and appearance of the area and the setting of the Grade II listed building, and the harm to public safety for a range of users.
17. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR