



Appeal Decision

Site visit made on 7 July 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/X4725/Z/20/3250965

163-165 Doncaster Road, Wakefield WF1 5EY

- 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 Wakefield Council.
 - The application Ref 19/02600/ADV, dated 15 November 2019, was refused by notice dated 20 February 2020.
 - The advertisement proposed is Upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on amenity.

Reasons

3. In respect of advertisements, they are only subject to control in the interests of amenity and public safety. With regards to public safety, no concerns have been raised by the Council to its location or illumination levels from a public safety perspective, subject to an illuminance condition, and I have no reason to disagree with their findings.
4. The appeal site is located in the Belle Vue Area, and the main building has a fairly pleasant setting close to a landscaped area of open space. The general area is a mix of commercial and residential, and the host building is in commercial use and has some character to its appearance. The gable end of the building is visually exposed within the street scene given its orientation and the open setting adjacent to a landscaped area of open space.
5. I also note other 48 sheet adverts in close proximity to the appeal site, also of a paper and paste variety and appreciate this type of advertisement is a feature of the area. An existing 48 sheet externally illuminated sign is already attached to the gable end of the building. Whilst it is visually apparent within the street scene, due to the length of time it has been on site, this advert has become assimilated into the street scene and furthermore, as it is externally illuminated, this has a much more discreet form of illumination than the proposed digital upgrade.

6. This digital form of advertising, which it would replace in the same position, would however introduce a more garish form of advertising to the area, and in this open context, its scale, and at the height proposed, would result in an incongruous feature. As a consequence, visual intrusion would occur that would be harmful to the amenity of the area.
7. I appreciate that by the use of a digital screen, adverts can change more frequently than that of paste boards, and it will only be static images displayed, and there are operational controls of these forms of adverts, however it is because of the digital nature of the proposal that I have come to the view would result in harm to the amenity of the area.
8. I recognise that waste from the paper and paste sign change-over would be negated, as well as less vehicle trips to the site, and I recognise the resultant benefits to the environment of LED displays. In terms of any social benefits such as displaying charitable causes and emergency messages, there is no guarantee this would occur, and in any event, I apply limited weight to these matters. There may be economic benefits associated with digital advertising, although neither does the advantages of this lead me to form a different view to the one I have reached.
9. With respect to the effect of the proposal on the residential outlook from properties along Elm Tree Street, the intervening open space creates a visual break between the houses and the proposal, with both the separation distance and the tree cover providing screening properties. The orientation of the dwellings on Yew Tree Street would not result in direct overlooking of the proposal. These factors lead me to the view that residential amenity levels would not be compromised as a result of the proposal.
10. Although I find no harm would occur to the amenity of residential occupiers, nonetheless, I have found harm to the amenity of the area. The appeal signage is therefore in conflict with the Council's Local Development Framework Development Policies Document 2009 Policy D9 in its design aims, and Policy D16 for advertisements to respect the character of the area, amongst other criteria. It is also in conflict with paragraph 132 of the National Planning Policy Framework as it would be poorly sited.
11. For the reasons outlined above, the appeal is dismissed.

Alison Scott

INSPECTOR