
Appeal Decision

Site visit made on 18 August 2020 by John Gunn DipTP Dip DBE MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2020

Appeal Ref: APP/K2420/Z/20/3253543

56A The Holywell Inn, London Road, Hinckley LE10 1HL

- 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 Andrew Foster, Space Outdoor Ltd against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 20/00208/ADV, dated 25 February 2020, was refused by notice dated 28 April 2020.
 - The advertisement proposed is installation of 1 x 48 sheet freestanding internally illuminated advertising display unit.
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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.

Main Issue

3. The main issue in this case is the effect of the proposed advertisement on the amenity of the surrounding area.

Reasons for the Recommendation

4. The proposed advertisement would be sited adjacent a single storey outbuilding associated with an orthodontic practice located at 56 London Road. It would be visible across the car park attached to the public house known as the Holywell Inn. It would sit approximately 2.4 metres above ground level, measure 3.3m high x 6.3m wide and comprise of a pressed metal frame with LED module lighting covered by a printed vinyl image.
5. Paragraph 132 of the NPPF states that "The quality and character of places can suffer when advertisements are poorly sited and designed" and "Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

6. Whilst acknowledging that the site is located in an urban area, containing a number of commercial properties, the area immediately to the west is predominantly residential in character. Notwithstanding the presence of existing trees that lie close by, the advertisement would be seen primarily against a backdrop of domestic scaled buildings. Moreover, it would project beyond the envelope of the outbuilding that it abuts. As a result, it would appear as a prominent, intrusive addition to the streetscene when viewed from the houses on the opposite side of London Road, and from the east. Consequently, it would be harmful to the visual amenities of the area.
7. The advertisement would have a maximum luminance level of 600 cd/m². However, the appellant has indicated that they would be prepared to accept a condition requiring the illumination to be switched off between 12.00 pm and 7.00 am the next morning. Whilst acknowledging that this would reduce the impact of the advertisement during the night time, it would still be a prominent feature late into the evening. Consequently, and given the relationship with nearby residential properties, this would not overcome the concerns that I have identified above.
8. Whilst there are examples of similar advertisements, as observed on my site visit and as drawn to my attention by the appellant, these are few in number and have different locational characteristics to the appeal proposal. They are not directly comparable to the proposal before me and are not good reason to allow a harmful advertisement in this case.
9. For the reasons given above, I find that the proposed advertisement would harm the visual amenity of the area. The provisions of the development plan, so far as they are relevant, have been considered. Since the proposed advertisement would cause visual harm to the street scene, the scheme would conflict with the aims of Policy DM23 of the Site Allocations and Development Management Policies DPD (2016) which seeks high quality design that responds positively to its surroundings, and the guidance on advertisements set out in the Framework.

Conclusion and Recommendation

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

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR