



Appeal Decision

Site Visit made on 25 May 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 8th June 2021

Appeal Ref: APP/M3455/Z/21/3269779

160 Newcastle Street, Burslem, Stoke-on-Trent ST6 3QN

- 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 Wildstone Group Ltd against the decision of Stoke-on-Trent City Council.
- The application Ref 65889, dated 2 October 2020, was refused by notice dated 26 January 2021.
- The advertisement proposed is described as 'upgrade of existing 48 sheet advert to support digital poster'.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed digital advertisement on the visual amenity of the area.

Reasons

3. The appeal relates to the east facing gable elevation of 160 Newcastle Street, which is an end terrace property. The proposal would see the existing 48 sheet poster display, that is erected on the gable end of No 160, replaced by an internally illuminated digital display of equivalent size. It would display static digital images on a 10 second sequential rotation with illumination limited to 300cd/sqm at night, in accordance with the Institute of Lighting Professional's best practice guidance.
4. The appeal site is located on the opposite side of the road to one of the boundaries of the Newcastle Street Conservation Area, the character and appearance of which the LPA have a duty to preserve or enhance. It is therefore appropriate to give careful consideration to any displays in the street scene because of their possible impact on the designated area.
5. The properties in the conservation area are in predominantly retail and commercial use at ground floor level, a large number of which having retained their traditional shopfronts. The historic townscape of the conservation area is dominated by terraced blocks that are laid out in a generally linear pattern. Views towards the gable elevation of No 160, when approaching from the east of Newcastle Street include a commercial row of locally listed 18th century cottages along with other properties on the opposite side of the road, and within the conservation area. The appeal site is therefore within the setting of these buildings and the conservation area.
6. The appellant states that as the existing advertisement hoarding has been in situ for around 20 years it is an established feature on the site, and that the

- proposal would therefore not result in additional clutter. It also argues that the proposal would easily be accommodated on the gable wall and that advertisements which lie within areas characterised by commercial, industrial, and infrastructure features are more likely to be acceptable.
7. Nonetheless, despite the existence of commercial uses in the area, large digital illuminated advertisements are not a prevalent feature. Advertisement in this area is generally confined to the shopfronts, is mostly externally illuminated and reasonably modest in design.
 8. Given the sequential format of displaying advertisements, with changing images every 10 seconds, the proposed replacement digital display panel would appear more prominent than the existing non-illuminated 48-sheet advertisement display. It would also introduce an overly modern element to this character and would pay little regard to the historical context.
 9. I appreciate that the proposed display would not be visible from the western direction or from the properties that lie within the conservation area on the northern side of Newcastle Street. However, the scale of the poster sign would be substantial and by virtue of its elevated position and the set backs of neighbouring properties would be readily apparent when approaching from the east. The proposal's illumination and changing images would therefore detract from the historic interest and setting of the locally listed buildings and the conservation area.
 10. I am aware of the appellant's willingness to accept conditions restricting the illumination, the display and transition times, the sequencing of messages and the use of visual or special effects between successive displays. It has also been put to me that the digital format will allow for increased durability, efficiency, and the ability to centrally control, update, and monitor content over a 24 hour period. However, I do not consider that these factors would overcome or outweigh the harm that I have identified above.
 11. The Council has drawn my attention to Policy CSP2 of the Newcastle-Under-Lyme and Stoke-On-Trent Core Spatial Strategy 2006-2026 (2009). Whilst I have taken this into account as a material consideration, the powers to control advertisements under the regulations may be exercised only in the interests of amenity and public safety. Consequently, in my determination of this appeal the Council's policies have not, themselves, been decisive.

Conclusion

12. For the reasons given above, the proposed digital advertisement would have an unacceptably harmful effect on the visual amenity of the area. I conclude that the appeal should therefore be dismissed.

Mark Caine

INSPECTOR