The Planning Inspectorate

Appeal Decision

Site Visit made on 1 June 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th June 2021

Appeal Ref: APP/X4725/Z/21/3270616
110 Pontefract Road Featherstone, Pontefract WF7 5AP

- 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 Air Outdoor against the decision of City of Wakefield Metropolitan District Council.
- The application Ref 20/02333/ADV, dated 8 October 2020, was refused by notice dated 15 January 2021.
- The development proposed is 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 advertisement on the visual amenity of the area.

Reasons

3. The appeal site comprises the eastern elevation of a 2 storey building that is currently in use for car sales. The majority of the properties in the vicinity of the appeal property are terraced residential properties together with a number of commercial premises with signage that comprises mainly fascia mounted non-illuminated signs. There is an existing non-illuminated 48-sheet advertisement display on the eastern elevation of the host building that takes up much of the side elevation of the host property.

4. Due to its size and location on the gable end of the building, the existing advertisement board is visually prominent, being visible from an extensive distance along Pontefract Road to the east. The size and positioning of the proposed advertisement board would be similar to the existing display. However, this size and positioning, when combined with the illuminated display and the format of displaying advertisements with changing images, would exacerbate the impact on the street scene. The proposed advertisement board would therefore appear more visually obtrusive than the existing board. It would be in marked contrast to the more subdued appearance of the residential properties and the generally smaller and more discreet shop front signage in the vicinity.

5. The appellant has stated that they would be willing to accept a limit of 150cd/m2 during the hours of darkness, that the signage would contain internal sensors which allow the screen to adapt to real time ambient conditions and the display would be switched off between the hours of 23:00

and 06:00. However, even taking into account these mitigation measures, the size, location and digital illuminated changeable display proposed mean that the proposed advertisement board would appear as an unduly prominent and highly discordant feature in the street scene. Consequently, it would be significantly harmful to the visual amenity of the area.

6. I note that the appellant contends that the existing advertisement board has been in place for over 10 years with no enforcement or discontinuance action being brought by the Council, and this indicates that the displays are set within the built environment and are not causing any harm to the host property, wider street scene or amenity of the nearby residential properties. The Council appears to concur with the appellant in terms of the length of time that the existing advertisement board has been in situ and that it benefits from deemed consent. As set out above, the nature of the proposed development, with the digital LED illumination and changing displays would be markedly different from the existing advertisement board. Furthermore, the lack of enforcement action against the existing advertisement board does not provide a justification for the harm that the proposed advertisement board would cause.

7. I have taken into account Policies D9 and D16 of the City of Wakefield Metropolitan District Council Local Development Framework Development Policies Document 2009 which seek to protect amenity and so are material in this case. Given that I have concluded that the proposed advertisement would harm amenity, it would conflict with these Policies. It would also conflict with paragraph 132 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

8. The appellant has identified a number of social, economic and environmental benefits of the proposed advertisement including the display of charitable campaigns, public art and emergency information, the reduction in CO2 emissions and waste, the use of sustainable energy, a reduction in vehicle trips, an increase in business rates and an uplift in rent. Whilst these benefits may arise from the proposed advertisement, relevant considerations under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 are confined to issues of amenity and public safety.

9. The appellant also states that the proposed advertisement would result in a reduction in visual clutter on a site specific and strategic level. I do not agree that the proposed advertisement would reduce visual clutter on a site specific level given that it would be replacing an existing advertisement. I have no evidence before me to support the view that it would reduce visual clutter on a strategic level. I therefore give this matter very limited weight.

Conclusion

10. For the above reasons, having had regard to all matters raised, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR