



Appeal Decision

Site visit made on 29 June 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2021

Appeal Ref: APP/V2825/Z/21/3269421

**St James Working Mens Club, Advertising Right, 2 Weedon Road,
Northampton NN5 5BE**

- 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 St James Working Mens Club against the decision of Northampton Borough Council.
 - The application Ref N/2020/1574, dated 8 December 2020, was refused by notice dated 4 February 2021.
 - The advertisement proposed is replacement of a previously removed existing 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is allowed and express consent is granted for replacement of a previously removed existing 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The intensity of the illumination of the advertisement to which this consent relates shall be no greater than the thresholds set out in the Institute of Lighting Engineers in their publication, The Brightness of Illuminated Advertisements, (PLG05:2015).
 - 2) The minimum display time for each advertisement shall be 10 seconds and there shall be no special effects (including noise, smell, smoke, animation, flashing, scrolling, intermittent or video elements) of any kind before, during or after the display of any advertisement.
 - 3) The sequencing of messages relating to the same product is prohibited.
 - 4) The interval between successive displays shall be 0.1 seconds or less and the complete screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.
 - 5) The advertising display panel shall have a default mechanism to freeze an advertisement in the event of any malfunction.

Main Issue

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

Reasons

3. The Planning Practice Guidance¹ advises that in assessing amenity, the local characteristics of the neighbourhood should be considered. It indicates that a large poster-boarding might be permitted in areas where there are large buildings and main highways where the advertisement would not adversely affect the visual amenity of the neighbourhood.
4. The appeal site is located on Weedon road, a busy and wide main road running through an urban area. It comprises a section of boundary wall at the far end of an area of surface car park serving St James Working Mens Club. Directly behind the wall, there is a single-storey small detached police office. Surrounding development is mixed use including residential properties on the opposite side of the road and a block of commercial units with flats above, the rear elevation of which faces the appeal site, some distance beyond the junction with Abbey Street.
5. The proposed advertisement would be mounted on the wall, extending above it to a maximum height of 5.5 metres. The proposed advertisement would be a digital display which would display multiple static and illuminated advertisements which would be capable of rotating to change the display every ten seconds.
6. The proposed advertisement would be prominent in views to the east along Weedon Road. However, this southern side of this section of Weedon Road is characterised by commercial uses with various signage, including a poster advertisement, not dissimilar in size to the appeal proposal, overlooking the car park of an adjacent commercial use. Whilst this nearby poster advert is set in further from the pavement, it appears to be at a similar height to that proposed as part of the appeal. In this busy urban environment and close to other signage, the advertisement would not look out of place.
7. The rear of the proposed advertisement which would extend some distance above the boundary wall would be visible within the streetscene. However, it would be enclosed by grey cladding on this side which would give it a tidy appearance. Its colour would be muted which would reduce its prominence. It would also be viewed in the context of street trees, signage and lampposts. In this context, it would not appear obtrusive and its visual impact would be acceptable
8. There are a number of residential uses close to the appeal site, although only those on the opposite of Weedon Road would face, at an angle, towards the site. However, the width of the road would provide a good degree of separation from the appeal site. Furthermore, this side of Weedon Road is already characterised by other advertisements and the appeal proposal would not look out of place or visually intrusive in this context. In coming to this view, I am also mindful that the appeal site has until recently been used for the display of a similar sized, non-digital advertisement.

¹ Paragraph: 079 Reference ID: 18b-079-20140306

9. I find that the proposed advertisement would not harm the visual amenity of the area. I therefore conclude that it would comply with the requirements of paragraph 132 of the National Planning Policy Framework in so far as relevant to matters of amenity.

Conditions

10. The Council has not suggested any conditions in addition to the five standard advertisement conditions. The appellant has however suggested a number of conditions. These have been assessed in light of guidance found in the Planning Practice Guidance and where necessary have been amended for clarity and precision or omitted.
11. I shall impose the five standard conditions set out in the Regulations. The appellant seeks consent for a period of ten years. However, express consent is usually granted for a period of five years. Although this period can be shortened or extended, in this case no specific reasons are given why a ten year period is sought. Therefore, I see no reason to apply a different period.
12. In the interests of amenity and public safety, I have imposed conditions controlling the intensity of illumination, minimum display periods, sequencing of messages, interval between successive displays and a mechanism to freeze the advertisement in the event of a malfunction.

Conclusion

13. For the reasons set out above, I conclude the appeal should be allowed.

Rachael Pipkin

INSPECTOR