
Appeal Decision

Site visit made on 6 May 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/M2372/Z/21/3268839

Elim Pentecostal Church, Park Road, Blackburn BB2 3DJ

- 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 Elonex against the decision of Blackburn with Darwen Borough Council.
 - The application Ref 10/20/1075, dated 10 November 2020, was refused by notice dated 24 December 2020.
 - The advertisement proposed is described as a "4m (w) x 6 (h) single sided digital advertising sheet".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations, the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
3. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Main Issues

4. The main issues are the effect of the advertisement on the amenity of the area and public safety.

Reasons

5. The appeal site consists of the church building, car park and surrounding landscaping including a reasonably sized grassed verge and trees to the boundaries of the site. The appearance of the church building and surrounding landscaping is distinct from the commercial architecture of the surrounding area.

6. The advert would be located in a prominent position on the site adjacent to a busy junction of Grimshaw Park and Russell Street, a significant throughfare and route into the centre of Blackburn and retail parks.
7. The proposed advert is shown on the submitted plans as being, within the context of the surrounding built development, of a significant size and scale that would dominate this area harming the amenity of the area.
8. The appellant refers to other signage in the area. I saw at the site visit that the signage is typical of commercial property and retail parks in general with the signage relating to the occupiers of the related properties. While numerous, the size and scale of the signage that I saw was generally in proportion to the buildings. As such, the presence of these adverts does not persuade me as to the acceptability of the appeal scheme.
9. The adjacent road junction that has a history of collisions, as evidenced by the appellant's Road Safety Risk Assessment Report. I note the proposed advertisement would not have any moving images and changes approximately 10 sec turnovers. Nevertheless, the advert is clearly located and orientated to draw the attention of road users at a busy junction. As such I find that the appeal scheme would harm public safety.
10. The appellant details that the proposed advert would be of financial benefit to the church and the various community projects that are undertaken. This is a material consideration that weighs in favour of the appeal scheme, but it does not outweigh the harm I have previously identified.

Conclusion

11. For the reasons given above I conclude that the display of the 4m (w) x 6 (h) single sided digital advertising sheet would be detrimental to the interests of amenity and public safety.

Mark Brooker

INSPECTOR