



Appeal Decision

Site visit made on 5 July 2021 by Darren Ellis MPlan

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2021

Appeal Ref: APP/M2515/Z/21/3273196

The Pelham Centre, Canwick Road, Lincoln, LN5 8HE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Graeme Hughes on behalf of Alight Media Ltd against the decision of the City of Lincoln Council.
 - The application Ref 2021/0126/ADV, dated 10 February 2021, was refused by notice dated 25 March 2021.
 - The advertisement proposed is the installation of 2 x 48 sheet freestanding digital advertising display units on a monopole steel support leg, comprising metal frames with sealed LED screens.
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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.

Procedural Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

4. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

5. The Pelham Centre is a large commercial building with a car park accessed from Kesteven Street. Canwick Road and the Pelham Bridge are immediately adjacent to the west of the site, and this is a major arterial route into the city. The area to the east of Canwick Road is commercial in nature and includes a
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range of fascia and freestanding signs, some of which are illuminated. On the opposite side of the road the character is predominantly residential.

6. A previous planning application¹ for two digital screens on a monopole and triangular frame adjacent to the Pelham Bridge was refused earlier in 2021, on the grounds that the proposal would harm the visual amenity of the area. This current appeal proposal is an amended version of this previous scheme, with the site of the advertisements moved 30m to the south, a 2m reduction in the height of the monopole, and with back-to-back digital screens instead of the screens being in a V-shape.
7. The proposed double-sided digital advertising screen on a monopole support leg would be erected in the car park of the Pelham Centre immediately adjacent to the Pelham Bridge. The bottom edge of the digital screen would be 6m above ground level and would be above the level of the adjacent elevated section of Pelham Bridge. Consequently it would be visible to traffic and pedestrians travelling in both directions along Pelham Bridge as well as from the roads and pavements to the north and south of the Pelham Centre.
8. The existing advertisements in the area are modest in size, with no 48-sheet advertisements present. Furthermore, while some of the existing signage is illuminated, there are no digital screens. Even with the illumination levels restricted during the hours of darkness, the proposed digital screen would introduce a large, permanent illumination that would draw the eye and would appear conspicuous in the context of the surrounding area where advertising displays are generally more discreet. The illumination would only serve to highlight the unsympathetic scale and height of the advert, which would be exacerbated by its prominent location and significant separation from the building. I recognise that the streetscape is varied and includes large, modern, functional commercial buildings, tall street-lights, and is a major transport corridor. Nonetheless, the presence of such a large and prominent digitally illuminated display would not be sympathetic in this context.
9. Lincoln Cathedral, a grade I listed building, comes into view from behind the Pelham Centre when vehicles and pedestrians are approaching along Canwick Road and travelling over Pelham Bridge from the south. This view is a key point of arrival in the historic city. The Pelham Centre building obscures the view of the Cathedral and, although it would only be for a brief period, the view would be further obscured by the proposed advertising hoarding. This is illustrated in the annotated photograph in Appendix 5 of the appellant's submission. Furthermore, the modern digital screen would be significantly at odds with the historic and architectural significance of the Cathedral. Overall, the advertisement would harm the visual amenity of the area.
10. The appellant has suggested that the proposal would result in a number of benefits, including the reduction in CO² emissions and waste, the use of sustainable energy, the display of emergency messages, and economic benefits. However, national Planning Practice Guidance states that the powers to control advertisements under the Regulations may be exercised only in the interests of amenity and public safety.
11. My attention has been drawn to a development in Lincoln that has permanently obscured views of Lincoln Cathedral. Full details of the scheme have not been

¹ Planning application ref. 2020/0831/ADV

provided. However, the appellant acknowledges that this development provided a state-of-the-art public transport hub and states that the Council concluded that the public benefits outweighed the permanent loss of historic views of the city. This is not the case in the appeal before me, and as such the transport hub development is not comparable to this proposal.

12. I have also been referred to a scheme that was allowed on appeal for two 48-sheet digital advertisements elsewhere in Lincoln². However, the scheme in that case included the removal of four existing 48-sheet hoardings which the Inspector found would reduce the visual clutter in the street scene, and makes no reference to impeding any views of Lincoln Cathedral. Consequently this previous appeal is not directly comparable to the proposal before me. In any case, this appeal has been determined on its own merits.
13. I note the appellant's concern that the Council has an 'in principle objection' to digital advertisement applications and applies a 'blanket approach' to refusing such applications. However, the Council's delegated report makes a clear and reasoned assessment of the site-specific details of the proposal. Furthermore, the Council's report acknowledges that 'Officers consider that high quality and innovative advertising structures can enhance areas.' Based on the evidence before me, I have no reason to believe the Council objects to the principle of digital advertisements.
14. The Council has drawn my attention to policy LP27 of the Central Lincolnshire Local Plan (April 2017), which seeks to protect visual amenity. As I have concluded that the proposed advertisement would harm amenity, it therefore would not accord with this policy.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I conclude that the proposed digital advertisement would cause harm to the visual amenity of the area. I therefore recommend that the appeal is dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Andrew Owen

INSPECTOR

² Appeal ref. APP/M2515/Z/20/3254283