



Appeal Decision

Site Visit made on 14 September 2021

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/A2335/Z/21/3278286

118 Heysham Road, Morecambe, Lancaster, LA3 1DH

- 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 Limited against the decision of Lancaster City Council.
 - The application Ref 21/00004/ADV, dated 21 December 2020, was refused by notice dated 12 May 2021.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. I have had regard to the Framework in my decision and I am satisfied that this has not prejudiced any party.
3. The Regulations¹ require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach. I have taken account of the policies the Council considers to be relevant to this appeal insofar as they relate to amenity and public safety.

Main Issue

4. The main issue is the effect of the proposed advertisement on amenity.

Reasons

5. The appeal site relates to an existing poster board positioned on the gable end of a two-storey terraced property, on the west side of Heysham Road. The site faces a small open grassed area with a section to the north west designated as open space. The site is prominently located along one of the major routes of connecting Morecambe to Heysham with the promenade and seafront to the north west. The promenade spans some several miles connecting the seafront of Morecambe from Heysham to Hest Bank. The area is predominantly residential in character with some commercial properties nearby along Heysham Road. Almost directly opposite the site at the junction with Cumberland View Road there were two other poster boards.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

6. The proposed advertisement would replace the existing poster board of a similar size. It would be an internally illuminated wall mounted digital advertisement screen. The appellant advises that the advertisement would have the capability to broadcast public information, commercial and non-commercial campaigns with digital static images sent electronically to the screen. It would be operated 24/7 from a central location. The frequency of the advertisement on display would be once every ten seconds, take place instantly with no sequencing, fading, swiping or merging of images. Luminance levels for both night and daytime would be in accordance with the Institute of Lighting Professionals best practice guide². I have also had regard to the D-Poster Testing & Site Report 2019 and light diagram.
7. Despite the proposed advertisement replacing an existing poster board and being of similar proportions. The digital advertisement would still be of a substantial size and positioned prominently at high level on the side elevation of the property with multiple viewing angles in and around the site. It would be seen from both long- and short-range views when approaching from the north, east and west along Heysham Road, open space and from along the promenade and sea front, by vehicles, residents and visitors to the area.
8. The existing commercial advertisements on premises in the vicinity of the site are modest in size and either non-illuminated or lit by smaller external illumination. I accept that there are large existing poster boards on the opposite junction, but these are not illuminated and are positioned at a lower level than the proposal. Therefore, whilst I accept that some of the signage is illuminated, there are no digital screens within the immediate area. 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 when passing and would appear conspicuous in the context of the immediate area, particularly the promenade where advertising displays are generally more discreet.
9. I recognise that the streetscape is varied and includes a range of residential and commercial properties along Heysham Road. Nonetheless, the proposed advertisement would be clearly discernible in views, exacerbated by its digital screen presence and located in an area where there are no digital screens. Therefore, it would result in an obtrusive and insensitive addition which would be visually harmful to the amenity of the immediate and wider vicinity of the sensitive environment of the promenade and wider area.
10. I do not consider that the 'fact' a previous advert has been in situ for a long period justifies the harm that would be caused by the proposed digital screen advertisement. Particularly as the existing advert is not internally illuminated. Notwithstanding, that it was externally lit some years ago, this was not the case when I visited the site. Therefore, I do not consider that the level of illumination is comparable between the existing advert to be replaced and the proposal.
11. Consequently, I conclude that due to its siting, design and type of illumination, the proposed advertisement would have a significant adverse effect on the amenity of the area. It would be contrary to Policy DM21 of A Local Plan for Lancaster District 2011-2031, Part Two: Review of the Development Management DPD, 2020. This policy requires advertisements to be well

² The Brightness of Illuminated Advertisements PLG05 2015

designed and appropriately sited in order to positively contribute to a safe and attractive environment; be of a high-quality design and sensitive to the visual appearance of the surrounding street scene, in the daytime and the night-time; be appropriate to its setting and location and have due regard for local distinctiveness.

12. Moreover, the proposed advertisement would also be in conflict with paragraph 136 of the Framework, with regards to achieving well-designed places and that the quality and character of places can suffer when advertisements are poorly sited and designed.

Other Matters

13. I have had regard to the appellants public safety report³. Nevertheless, the Council acknowledge that the proposal would not have an adverse impact with respect to highway safety or public safety. This is a neutral consideration weighting neither for nor against the proposed advertisement. Furthermore, the examples I have been referred to in the report are not comparable to the proposal, in regard to the sensitive location of the promenade and sea front.
14. The appellant refers to the benefits that the advertisement would have to provide a platform for a whole range of businesses as well as the wider community, reduce vehicle trip generation, reduce air pollution and waste. I acknowledge the digital display would generate economic activity for users of the screen for advertising products / services. However, these benefits would be limited in scale and do not outweigh the harm to amenity.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

KA Taylor

INSPECTOR

³ Conversion of Roadside Advertising Poster Billboards to D-Poster, Vectos: VN91351, August 2019