



Appeal Decision

Site Visit made on 15 November 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2021

Appeal Ref: APP/X4725/Z/21/3280813

Front Street, Castleford WF10 4QE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Richard Page of Wildstone Group Ltd against the decision of Wakefield Metropolitan District Council.
 - The application Ref 21/01043/ADV, dated 13 April 2021, was refused by notice dated 2 July 2021.
 - The advertisement proposed is removal of 2 x existing sheet advertising boards and replacement with 1 x 48 sheet freestanding digital advert.
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Decision

1. The appeal is allowed and express consent is granted for the removal of 2 x existing sheet advertising boards and replacement with 1 x 48 sheet freestanding digital advert at Front Street, Castleford WF10 4QE in accordance with the terms of the application, Ref 21/01043/ADV, dated 13 April 2021, 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 permitted by this consent during day time shall be within that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
 - 2) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 150 cd/sqm during hours of darkness.
 - 3) There shall be no moving, or apparently moving images, or sequencing of images over more than one display.
 - 4) The display shall not change more than once every 10 seconds and the interval between successive displays shall be instantaneous (at 0.1 seconds or less).

Main Issue

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

Reasons

3. The area surrounding the appeal site is characterised by a mix of residential and commercial properties. The appeal site consists of an existing billboard which is visible from Front Street and Leeds Road. Due to commercial buildings

being in the immediate vicinity there are a range of advertisements and signage which contribute to the character of the area.

4. The proposal would be located in the same position, at similar orientation but smaller in size than the existing billboard. The separation distance from the proposal to surrounding buildings and features would be a similar arrangement to the existing advertisement. The proposal would be in a prominent location and differs from other fascia and totem signage however, given its size and siting, it would be no more prominent than the existing billboard on site and would not introduce a starkly different format to the locality.
5. The proposal would be an illuminated advertisement. The appellant has indicated that the advertisement would be illuminated in accordance with the Institute of Lighting Professionals (ILP) best practice guidance. The illumination level at night time would be halved from the level recommended in the ILP to 150 cd/sqm. The advertisement would also have adaptive screen software, light sensors and timing clocks which would allow the illumination output to reflect the ambient conditions in real time.
6. Due to the proposals size, orientation, location and levels of illumination, even when viewed against the more muted recessive tones and pallet of the surrounding trees and shrubbery, it would not disrupt the visual harmony of the surrounding area or uses. The proposal would be no more prominent than the existing billboard and would not be unduly intrusive within the surrounding area.
7. Accordingly, I find that the proposal would not have a harmful effect on the amenity of the area. The proposal would be in accordance with Policies D9 and D16 of the Wakefield Local Development Framework Development Policies and the National Planning Policy Framework (the Framework) which seeks signs and advertisements to make a significant contribution to character and local identity.
8. I have had regard to the Council's officer report and statement of case including other dismissed appeals. However, insufficient information has been submitted with regards to these dismissed schemes and I cannot be sure that they represent a direct parallel with the appeal scheme particularly with regards to location, scale and effect on surrounding environment. In any case I have determined this appeal on its own merits.

Conditions

9. I have imposed the five standard conditions set out in the Regulations.
10. The appellant has suggested a number of conditions which I have considered. Firstly, in the interests of amenity, the advertisement should operate at an illumination level no greater than 150 cd/sqm at night time. During the day, to safeguard the amenity of the area, illumination levels shall be in accordance with the requirements of the ILP PLG 05. I also consider it necessary in the interest of amenity to impose conditions that the display shall not change at a frequency of more than once every 10 seconds, that there shall be no moving, or apparently moving images, and that the interval between successive displays should be at 0.1 seconds or less. These conditions would meet the six tests detailed in the Framework including being necessary and enforceable.

Conclusion

11. The proposal would not conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
12. Therefore, for the reasons given above, the appeal should be allowed.

Chris Baxter

INSPECTOR