



Appeal Decision

Site Visit made on 17 August 2021 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st December 2021

Appeal A Ref: APP/X3405/Z/21/3273347

Anson Street, Rugeley WS15 2BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Mark Lawrence of Staffordshire County Council against the decision of Cannock Chase District Council.
- The application Ref CH/21/0032, dated 8 December 2020, was refused by notice dated 8 April 2021.
- The development proposed is installation of 1 x 65" freestanding digital screen display unit providing passenger transport information.

Appeal B Ref: APP/X3405/Z/21/3273349

Anson Street, Rugeley WS15 2BB

- 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 Mr Mark Lawrence of Staffordshire County Council against the decision of Cannock Chase District Council.
- The application Ref CH/21/0033, dated 8 December 2020, was refused by notice dated 15 April 2021.
- The advertisement proposed is installation of 1 x 65" freestanding digital screen display unit providing passenger transport information.

Decisions

1. Appeal A is dismissed and Appeal B 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.

Preliminary Matters

3. As set out above there are two appeals on this site. They differ in that appeal A is against refusal of full planning permission whilst appeal B relates to refusal of express consent for the same advertisement. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Whilst I have had regard to the revised national policy as a material factor, 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 Issues

5. For Appeal A the main issue is whether the proposal would preserve or enhance the character or appearance of the Rugeley Town Centre Conservation Area (CA).
6. In relation to Appeal B, powers under the Advertisement Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. The Council concluded that the advertisement proposed would not cause harm to public safety or aural amenity. Given that the proposed siting would not hinder pedestrian movements within the area and would not produce any noise I see no reason to disagree.
7. Therefore, for Appeal B the main issue is the effect of the proposed advertisement upon the visual amenity of the area.

Reasons for the Recommendations

8. The appeal site is located next to Market Square within the CA which derives its significance from its historic layout and street pattern, mixed uses, diverse townscape, human scale and visual interest. Market Square and Brook Square form focal points allowing wider views in the town centre in contrast to surrounding narrow streets. Anson Street and the surrounding area has been pedestrianised and the street, much like Market Square, has several mature trees, seating and low-level street furniture. At the other end of Anson Street to the site is a war memorial and associated seating which forms another focal point. There is clear intervisibility between the memorial and Market Square and the view between them is identified in the Rugeley Town Centre Conservation Area Appraisal (published 2012).
9. On the opposite side of Market Square from the appeal site is a Grade II listed building identified on the list description as the Shrewsbury Arms Hotel. There are various other listed and significant buildings in the local area as identified in the Appraisal. This historic architecture contributes to the character, appearance and significance of the CA.
10. Around the appeal site advertisements are generally associated with the commercial uses and comprise fascia and projecting signs above the shop fronts as well as free standing boards. This limited use of advertisements contributes positively to the historic commercial character of the area. Additionally, the pedestrianised area around the Square is populated only with low level street furniture and landscaping, giving the area an open and uncluttered appearance and allowing a relatively unhindered view between the war memorial and the Square. This area of reflection and commemoration positively contributes to the character and significance of this part of the CA.

Appeal A

11. The proposed standalone illuminated signage would be in a prominent location within the CA, unrelated to any of the surrounding commercial uses and situated in the middle of a street which is currently free of such features. It would introduce a large modern digital display into an area of largely traditional

forms of signage. Consequently, it would appear in marked contrast to its surroundings and incongruous in this location. The suggested limiting of the proposed level of illumination would help to reduce the visual impact of the display but not of the structure itself and therefore would not address these concerns.

12. The proposal would also introduce a structure of significant size into the view between Market Square and the war memorial, diminishing their visual relationship and undermining the contribution of this view to the character of this part of the CA.
13. The Shrewsbury Arms Hotel derives significance from its function, architecture and relationship to the historic street pattern. It faces other shops across Market Street, however given its proximity and function as a public open area, Market Square contributes to the wider setting of the listed building and to its significance. The appeal site would be only obliquely visible from the Hotel from a distance on the outskirts of the Square and as such would not directly affect its setting. Therefore, the proposal would preserve its setting, significance and contribution to the CA. The appeal site would also be sufficiently separated from other listed buildings in the town centre that it would preserve their settings.
14. Nonetheless, for the reasons above the proposal would fail to preserve the character and appearance of the CA. Given the limited area of the CA that would be affected, the proposal would result in less than substantial harm to the significance of the CA as a whole. The Framework requires such harm to be balanced against the public benefits of the proposal.
15. The appellant states that the proposal would be part of a programme of works to upgrade transport infrastructure in line with the Staffordshire County Council's Local Transport Plan 2011 – 2026, however I have not been provided with a copy of the plan or any policies from it relevant to this proposal. Therefore, I can give this only limited weight.
16. Nevertheless, the proposal would have clear public benefits for users of the Square and town centre generally by providing up-to-date information about buses, travel planning and other public interest information in a convenient central location at the heart of pedestrian activity. This could encourage modal shift to public transport, attract people to the town centre and improve accessibility for those without alternative access to travel information. It could also provide important information on public safety, particularly in light of the ongoing Covid-19 pandemic, and would allow for social distancing for people looking at the display. Additionally, the proposal could provide revenue for the local authority from selling advertising space, which could be invested in local infrastructure and it could also be used by local charities.
17. There is however no substantive evidence before me that there is a need for travel information in this specific location or that this information has to be provided on a freestanding display of this size and could not be incorporated into other existing structures. The revenue generated by this single advertisement board would also be limited. I therefore afford the benefits moderate weight. In contrast, the harm to the significance of the CA is a matter of considerable weight and importance. Consequently, the public benefits of the proposal would not outweigh the harm to the significance of designated and non-designated heritage assets.

18. Accordingly, the proposal would be contrary to Policies CP3 and CP15 of the Cannock Chase Local Plan Part 1 2014 LP (adopted 2014) which require high quality design that conserves and enhances the local historic environment and promote high quality public space. Moreover, the proposal would conflict with the heritage policies of the Framework.

Appeal B

19. For the reasons set out above, the proposal would harm the character and appearance of the CA and therefore, the visual amenity of the area. The benefits of the proposal are relevant factors in my consideration of this appeal, however for the reasons above I give significant weight to the harm to visual amenity, which in this case would not be outweighed by the benefits.
20. The Council has referred to development plan policies it considers to be relevant to this appeal. However, the specified policies relate to development, which in planning terms does not include advertisements. They have not therefore been decisive in my determination of Appeal B.

Conclusions and Recommendations

21. Therefore, for the reasons given above, I recommend that both Appeal A and Appeal B should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

22. 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 both appeals.

L McKay

INSPECTOR