



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 Ref: APP/X3405/Z/21/3273357

3 Brook Square, Rugeley WS15 2DT

- 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/21/0035, dated 8 December 2020, was refused by notice dated 8 April 2021.
 - The advertisement proposed is installation of 1 x 65" freestanding digital screen display unit providing passenger transport information.
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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.

Preliminary Matter

3. 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.

Background and Main Issue

4. Powers under the 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 proposal would not hinder pedestrian movements within the Square and would not produce any noise I see no reason to disagree.
5. Therefore, the main issue is the effect of the proposed advertisement upon the visual amenity of the area.

Reasons for the Recommendation

6. The site lies within the Rugeley Town Conservation Area (CA) which derives its significance from its historic layout and street pattern, mixed uses, diverse townscape, human scale and visual interest. Brook Square and nearby Market Square are historic marketplaces which are focal points within the CA where people can congregate, and which allow wider views in contrast to the adjacent narrow streets. Consequently, these squares contribute positively of the significance of the CA. Many of the historic buildings within the CA are also located around these squares. The Grade II listed Brook House overlooks Brook Square and is a prominent feature when seen from it which makes a positive contribution to the CA.
7. In the area around the site, advertisements associated with the surrounding commercial uses typically comprise fascia and projecting signs above the shop fronts and free-standing boards. Within Brook Square there is a variety of low-level street furniture, a free-standing phone box, utility cabinet and a free-standing cylindrical advertising stand. Together these give the Square a cluttered appearance and detract from its openness and landscaping. This clutter is identified in the Rugeley Town Centre Conservation Area Appraisal (2012) as having a detrimental visual impact on the CA. While the Appraisal is now of some age, I saw at my visit that this clutter remains in the Square and detracts from the quality of the public realm, and thereby the appearance and significance of the CA.
8. The proposed free-standing advertisement would be a large, contemporary, illuminated sign in a prominent location within the CA, seen in some views across the Square towards Brook House. While it has been designed to be similar in appearance to other modern signage and street furniture, it would be a much larger structure than most others in the vicinity. It would be located close to the phone box and advertising stand and would add additional visual clutter into an area which is already overburdened with street furniture and other structures. The suggested limiting of the proposed level of illumination would help to reduce its visual impact but would not address this concern.
9. Consequently, by adding further clutter into the Square, the proposal would harm the appearance of the CA. As a result, it would harm the visual amenity of the area.
10. 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 this appeal.

Other Matters

11. 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.
12. Nevertheless, the proposal would have clear 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, while allowing 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.

13. 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 CA is a matter of considerable weight and importance, and I afford significant weight to the harm I have identified to visual amenity, having regard to the Framework. Therefore, while the benefits of the proposed advertisement are relevant factors in my consideration of this appeal, they do not outweigh the harm that would result to visual amenity.

Conclusion and Recommendation

14. For the reasons given above, I therefore recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

15. 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.

L McKay

INSPECTOR