



Appeal Decision

Site visit made on 15 December 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2022

Appeal Ref: APP/X3025/Z/21/3279978

55-57 Leeming Street, Mansfield NG18 1ND

- 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 Alight Media against the decision of Mansfield District Council.
 - The application Ref 2020/0361/ADV, dated 10 July 2020, was refused by notice dated 28 July 2021.
 - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Market Place Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

3. The main issue is the effect of the proposal on amenity.

Reasons

4. The site of the proposed display is the side gable elevation of the appeal property. In this position it would be located within, but at the outer edge, of the Market Place Conservation Area (CA) and it would have prominence from a number of different vantage points due to its positioning in relation to the surrounding road network. At the present time there is a smaller, non-illuminated static sign which advertises the business of the occupiers of the building. The status of this sign is not clear from the submissions before me but, in any event, it is significantly smaller in size than the appeal proposal and has different characteristics.
5. As the appeal site is located adjacent to a dual carriageway and to its intersection with another main arterial road into the town centre, there are large areas of hard surfacing, road infrastructure and street furniture in the forefront of views that would be taken towards the proposed advertisement. Nonetheless, the wall on which the proposed display would be positioned is within the CA and it frames the outermost point of what is still an important vista into the designated heritage asset. This view continues along Leeming Street and further into the CA.

6. Despite the commercial nature of the CA, existing signage found within it is generally understated, of a modest size and sympathetic to the character of the CA. Signage is also for the most part focussed on the front elevations of the buildings facing Leeming Street, is illuminated externally and refers to the commercial uses that occupy the host buildings. In contrast, the appeal proposal would be of a size that would be vastly out of scale with other existing displays, it would be internally illuminated, prominently positioned on the side gable and it would display frequently changing images.
7. It would, as a result, become the dominant visual feature in views taken towards the CA. The proposal would therefore compromise and harm views into the designated heritage asset and overall it would appear as a visually incongruous feature by reason of its size, positioning, internal illumination and its changing images. This would cause significant harm to the amenity of the surrounding area and would fail to preserve or enhance the character or appearance of the CA.
8. Reference is made to benefits that arise from the use of digital displays with respect to matters such as waste reduction and management, servicing and maintenance efficiencies. However, these benefits appear to arise in comparison to the use of a traditional poster display panel, which is not present at the appeal site. There may also be economic benefits arising from the proposed display and I acknowledge the appellant's references to sections of the National Planning Policy Framework (The Framework) which they consider to be of relevance. However, I can only base my judgement on the effect that the proposal would have on the interests of amenity.
9. For these reasons, I conclude that the proposal would cause significant harm to amenity due to its size, positioning, internal illumination and display of changing images. There would also be harm to the CA. I have taken into account Policies RT4 and HE1 of the Mansfield District Local Plan 2020 which seek to protect amenity and designated heritage assets, and so are material in this case, together with paragraph 136 of The Framework. Given I have concluded that the proposal would harm amenity and the CA, the proposal conflicts with these policies.

Conclusion

10. For the reasons given above, I conclude that the display of the advertisement would be detrimental to the interests of amenity.

Graham Wraight

INSPECTOR