



Appeal Decision

Site visit made on 11 January 2022

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2022

Appeal Ref: APP/C3430/Z/21/3286221

**16 Wolverhampton Road, Wedges Mills, Cannock,
South Staffordshire WS11 1SU**

- 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 Air Outdoor Media Limited against the decision of South Staffordshire District Council.
 - The application Ref 21/00756/ADV, dated 30 June 2021, was refused by notice dated 14 September 2021.
 - The development 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. The grounds of appeal suggest that the advert could benefit from deemed consent. However, an application for express consent was submitted to the Council and the appeal has been made on that basis. I have determined this appeal on that basis.
3. In accordance with the National Planning Policy Framework (2021) (the Framework) and the Regulations, my consideration of this appeal is confined to the issue of amenity, taking into account the provisions of the development plan, so far as they are material and any other relevant factors.

Main Issue

4. It is not disputed that the sign would not have a material adverse effect on public safety. Therefore, the main issue in this appeal is the effect of the advertisement on the visual amenity of the area.

Reasons

5. The proposed advertisement would be unduly large compared with the size of the building which it would be located on. The advertisement would also be commercial in character which, against the domesticity of the house, would appear incongruous.
6. Although Wolverhampton Road is a busy throughfare and supports a mix of uses, the area surrounding the appeal site is largely residential in character. Dwellings front the road and landscaping and boundary treatments create a domestic feel. The prominence of the sign on the side of the host property and its LED design and interchangeable images means that the proposal would

appear unduly dominant and incongruous and therefore obtrusive within a residential area. This would be especially felt in the dark or in dull conditions. Furthermore, the sign's illumination would draw the eye away, creating an unacceptable degree of visual clutter in views from Wolverhampton Road.

7. The fact that the proposal would not affect the character of historic features or areas of special character is not a reason to consider it acceptable. The Framework acknowledges that the quality and character of places can suffer when advertisements are poorly sited and designed, which I have found to be the case here.
8. The sign would be in a different position on the host property to the existing sign and it would be without the scaffolding. Whilst this would improve the appearance of the front elevation of the host property, the proposal would remain unduly large and conspicuous.
9. There are adverts of a similar type and format within the area. However, they are not within the context of the appeal site to be part of its character. Furthermore, the fact that the Council have not taken action to remove existing adverts, including the sign at the appeal site, does not imply that they consider them acceptable; there are many reasons for inaction, if indeed action is required.
10. The appellant refers specifically to an advert on the gable of No 40 Wolverhampton Road. I have no evidence of this sign being considered acceptable by the Council to set a precedent in favour of the appeal.
11. I have had regard to the suggested conditions which could be applied to any consent to control illumination and the cycling of images. However, these conditions would not mitigate the harm that I have found relating to the form, size and location of the advertisement and its LED design.
12. The appellant has cited several social, economic and environmental benefits associated with a digital advertisement but they do not outweigh the harm that I have found to visual amenity.
13. The Council has drawn my attention to Policy EQ11 of the Local Plan (2012) which, amongst other things, seeks development of the highest quality that take into account local character and distinctiveness. As I have concluded that the proposed advertisement would harm amenity, it therefore would not accord with this policy.

Conclusion

14. For the reasons given, I conclude that the proposed advertisement would be detrimental to visual amenity and therefore the appeal is dismissed.

R Walmsley

INSPECTOR