



Appeal Decision

Site visit made on 4 January 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 18th February 2022

Appeal Ref: APP/N2345/Z/21/3282509

Land adjacent 277 London Road, Preston, Lancashire PR1 4AP

- 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 Ben Porte of Clear Channel UK Ltd against the decision of Preston City Council.
 - The application Ref 06/2021/1032, dated 12 July 2021, was refused by notice dated 26 August 2021.
 - The advertisement proposed is described as installation of internally illuminated D-Poster display ancillary vertical meadow green wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations require that decisions are made only in the interests of amenity and public safety. This approach is confirmed by the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG). Therefore, while I have taken account of the policies the Council considers to be relevant, these have not been decisive in the appeal.

Main Issue

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

Reasons

4. The appeal site is adjacent to the A6 London Road where it rises northwards from the River Ribble. It is immediately to the south of 277 London Road, a former petrol filling station in use as a car wash. It is separated from the former public house to the south by an area of car parking hardstanding. There is a large commercial building to the north of No 277 and there are residential properties on the opposite side of the A6. The building group within which the appeal site sits is set in wooded countryside and green space in the Green Belt and it is visually well separated from other buildings.
5. The advertisement would be 6m wide and 3m in height and it would be nearly 3m above the ground. By virtue of its prominent and elevated roadside location, it would be readily visible to road users travelling north along the A6, from Ashworth Grove and to users of the nearby Guild Wheel footpath and cycle path. It would be seen against the backdrop of the former petrol filling station and its canopies. However, as a result of its large size and height and its free-standing siting, it would not sit comfortably and it would have an

- awkward relationship with the buildings and structures behind it. It would not relate well to the nearby built environment.
6. The extensive internally illuminated sequential imagery would be conspicuous and visually obtrusive, in marked contrast to the existing relatively modest and more traditional signage in the area. The overtly contemporary advertisement would be a dominant feature that would be markedly out of keeping and discordant in the visual context of the verdant mature woodland that characterises this part of the A6. It would not be sympathetic to its landscape setting. It would detract from rather than contributing positively to the character and appearance of the area.
 7. I accept that the green wall has the potential to benefit biodiversity. However, taking into account its size and siting, the benefits would be negligible. Furthermore, it would not integrate the advertisement into its surroundings.
 8. In addition to the standard conditions, the appellant suggests planning conditions be imposed to control the level of luminance and the nature of the display, including the duration and transition between images. These are similar to the conditions recommended by the Highway Authority to mitigate adverse impacts on highway safety. However, these measures would not mitigate the adverse visual impact and the harm could not therefore be overcome by the use of conditions.
 9. For these reasons, I conclude that the proposed advertisement would harm amenity. Policy EN9 of the Preston Local Plan 2012-2026 Site Allocations & Development Management Policies Adopted July 2015 (the LP) requires, among other things, that development makes a positive contribution to character and local distinctiveness, including by responding to its context. Although not decisive, the relevant policy is material in this case. Given that I have found the proposal would harm amenity, it would conflict with LP Policy EN9. It would also conflict with the design and amenity aims of the Framework and the PPG.
 10. In its decision notice, the Council also refers to LP Policy GB1 which relates to the protection of the Green Belt. However, the Regulations state that advertisements are subject to control only in the interests of amenity and public safety. Issues relating to inappropriateness in the Green Belt do not apply. Consequently, national and local plan policies that protect the Green Belt are not relevant to this appeal decision.

Conclusion

11. For the reasons set out above, I conclude that the proposed digital advertisement would harm the character and appearance of the area and it would be detrimental to amenity. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR