

Appeal Decision

Site visit made on 15 March 2022

by P Eggleton Bsc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 April 2022

Appeal Ref: APP/J0540/Z/22/3290683

Land opposite Aldi Superstore, Whittlesey Road, Peterborough PE2 8EZ

- 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 B Porte on behalf of Clear Channel UK Ltd against the decision of Peterborough City Council.
 - The application Ref 21/01747/ADV, dated 3 November 2021, was refused by notice dated 22 December 2021.
 - The advertisement proposed is a freestanding internally illuminated 48-sheet D-Poster display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on amenity with particular regard to its appearance within the street scene and its impact on the residents of the neighbouring residential properties.

Reasons

3. The proposal would result in a freestanding internally illuminated 48-sheet digital poster display. It would be located within the compound associated with an industrial building which is set back beyond the roadside verge and footpath. The site adjoins the long rear gardens of residential properties on South Street. It would be set beyond the high security fence and against a backdrop of trees, although in most views of the advert, this would not be as represented on the plans. The display area would be above the security fence and given its size and height, it would be extremely prominent when approaching from the north. Vegetation within the adjacent site would help to screen it in views when approaching from the south.
 4. The Regulations, the *National Planning Policy Framework* and the *Planning Practice Guidance* require that decisions are made only in the interests of amenity and public safety. Public safety has not been raised as a concern.
 5. Generally, when passing through, this area is characterised by residential properties to the north which give way to a small selection of commercial uses before returning to housing and open space. The neighbouring industrial units have signage but these are generally wall mounted and although reflecting the nature of the use of the units, are not overly prominent or dominant within the street scene. Opposite is a supermarket which includes advertisements along
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its walls and a high totem sign above its entrance. Again, although reflecting the nature of the use, these are in keeping with the scale of the building and the totem sign is not of a significant size comparatively. Further to the south are commercial garages with an array of signage and totems common to such facilities. Opposite these are residential properties which face the road. The appellant refers to the commentary in the *Guidance* which suggests that in an industrial or commercial area of a major city (where there are large buildings and main highways) such an advertisement may not adversely affect the visual amenity of the neighbourhood of the site. This area is not reflective of that description although other types of areas may be able to accommodate such provisions without harm.

6. The wide roadside verges and the number of trees and other vegetation, ensure that to a large extent, the commercial buildings and their adverts, although clearly noticeable when passing, sit relatively comfortably within this landscape framework. The more prominent adverts are of much more limited scale than this proposal and often set on building facades. The proposed sign, given its height and surface area, would be substantially more prominent and imposing than the adverts associated with these buildings and uses. Although the vegetation and trees would help to screen it when approaching from the south, when approaching from the north, it would not be integrated into the street scene. It would be unacceptably dominant and overly prominent. It would dominate its surroundings and it would be out of keeping in this particular context. It would detract from the character and appearance of this area.
7. The Council have raised concerns with regard to the impact of the advert on the neighbouring residential properties. It would be close to the end of their long gardens. Despite the intervening vegetation, it would be clearly evident given its height and size. It would be imposing for those residents, in some views, particularly when in their rear gardens on an evening when some shading may also occur. I am not satisfied however that it would result in unacceptable harm to the amenities of those residents although it would not be a positive feature.
8. Conditions could be imposed that would control the advert display and ensure that its brightness and operation would not significantly increase its impact. It would not represent signage that would increase advertising clutter as it would be entirely distinct in character from the advertisements in the vicinity given its combined scale and height, although this weighs substantially against it. I acknowledge that it may offer commercial benefits that provide weight in its favour. Overall, the matters put forward in support of it are not sufficient to outweigh the harm that would result to the amenity of the area. It would be contrary to Policy LP16 of the Peterborough Local Plan (2019) as it would fail to respect the context of the site and surrounding area. Whilst this cannot be decisive, it adds further weight against the proposal. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR