

Appeal Decision

Site visits made on 10 and 12 April 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary

Decision date: 27TH April 2022

Appeal Ref: APP/W1525/Z/21/3287461

1-2 Corporation Road, Chelmsford CM1 2AR

- 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 G Goodyear for Emerald Outdoor Limited against the decision of Chelmsford City Council.
 - The application Ref 21/01869/ADV, dated 13 September 2021, was refused by notice dated 3 November 2021.
 - The advertisement proposed is the replacement of an existing 48 sheet advertising billboard with a digital 48 sheet advertising billboard.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed signage on the amenity of the local area, including the setting of nearby designated and non-designated heritage assets.

Preliminary matter

3. I visited the site twice. The first time was on the evening of 10 April so that I could see the area after dark. The second site visit was during the day.

Reasons

4. 1-2 Corporation Road is an end of terrace building in a short row of retail premises facing Corporation Road, at the angled junction with a main through route, Broomfield Road. The proposal would replace a non-illuminated billboard on the side gable wall that faces northbound traffic on Broomfield Road with an illuminated digital display of the same size. The sign would have a design change every 10 seconds but would not flash or contain moving images. Maximum illumination would be in line with Institute of Lighting Professionals (ILP) recommendations.
5. Broomfield Road has street lighting but the area immediately around the sign and its backdrop to the north is otherwise fairly dark. Broomfield Road leads northwards away from the central part of the city, so that a decreasing amount of illumination is appropriate. There is an illuminated totem at a petrol station to the south of the appeal site, but when viewed from near the petrol station

- looking north the proposed digital sign would stand out as being uncharacteristic and intrusive, despite adherence to the ILP guidelines. The petrol station is open in hours of darkness so there is a reason for illuminated signage in that case which does not apply to the appeal proposal.
6. Across the road from the petrol station there is also an illuminated digital parking availability sign, presumably installed by the Council, which is only seen by southbound road users. The illuminated face of this sign would not appear in the north facing views of the appeal sign.
 7. Also across from the petrol station is a small but spacious development of 1930s bungalows which is designated as the John Keene Memorial Homes Conservation Area. The setting of the conservation area is already heavily influenced by the other, closer, illuminated signs so that the appeal proposal would have no significant effect. On the other hand, it would intrude on and harm the setting of the locally listed County High School for Girls, a substantial and handsome Edwardian building across the road. Despite some trees in front of the school, views from its forecourt and front windows would be somewhat dominated by the digital sign after dark.
 8. The 2007 Advertisement Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. I conclude that the proposed signage would unacceptably harm the amenity of the local area, including the setting of a non-designated heritage asset.
 9. I note that this is a well-established advertisement location and that no public safety issue has been raised. I also note that a digital sign would make some contribution to the local economy. I see no overriding commercial or other justification, however, for replacing the existing sign with this illuminated digital sign.
 10. In making this decision, I have had regard to policies DM13 and DM14 of the Chelmsford Local Plan 2013-2036. Powers under the advertisement regulations may, however, only be exercised in the interests of amenity and public safety, taking account of material factors such as adopted policies which are not by themselves decisive factors.
 11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR