



Appeal Decision

Site visit made on 26 April 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5TH May 2022

Appeal Ref: APP/Z4718/Z/22/3291762

County Workshops, Bradford Street, Dewsbury WF13 1QU

- 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 Graeme Hughes (Alight Media) against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/64/94127/E, dated 22 October 2021, was refused by notice dated 23 December 2021.
 - The advertisement proposed is the erection and display of a double-sided freestanding 48-sheet sized digital LED advertising unit mounted on a single pole.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The proposed advertisement would be prominently positioned on a bend in a main arterial road that runs through the town centre and it would carry separate displays that would face in two directions. As the appeal site is located next to a dual carriageway 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. There are, however, also a number of features which contribute positively to the surrounding area, including the listed railway viaduct, the Machell Bros building opposite, and the County Workshops building itself which would form the primary backdrop to the proposal.
4. There is not presently a proliferation of advertisements in the surrounding area, notwithstanding that many buildings appear to be in commercial use. Whilst the existing ground floor signage at County Workshops lacks some visual coherence in terms of the positioning of the signs of each individual unit relative to one another, these signs are limited in their overall size. Their displays are static and for the most part either non-illuminated or illuminated by external means. As a result, they have only a minimal visual impact. Elsewhere within the area, existing signage is also generally proportionate in size to the buildings on which it is located.
5. In contrast, the proposed advertisement would introduce two large displays which would be significantly bigger than the prevailing existing displays in the area and it would stand alone in an isolated position on the frontage of the

County Workshops site. The displays would also be internally illuminated and would show changing images, thus both increasing their visual impact and setting them apart from existing advertisements in terms of their character and appearance. They would as a result be dominant features in the street scene, even on consideration of the scale of the County Workshop building that would be behind them in many views, appearing as visually incongruous features by reason of their size, positioning, internal illumination and their changing images. This would cause significant harm to the amenity of the surrounding area.

6. The decision notice makes reference to harm to the setting of the Dewsbury Town Centre Conservation Area (CA) and to other designated and non-designated heritage assets. However, with the exception of the listed railway viaduct and the Machell Bros building which is said to be a non-designated asset, it is not certain as to precisely which other assets this refers. Due to the location of the CA and the Machell Bros building on the opposite side of the dual carriageway and because the proposal would be sited an adequate distance from the railway viaduct, there would not be an overall harm to the setting of these heritage assets. Nonetheless, this does not overcome the other harm to amenity that I have identified.
7. 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. Whilst permitted displays on other sites in Kirklees have been identified by the appellant, no details of these have been provided and, in any event, they are not located close to the appeal site.
8. 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. I have taken into account Policies LP24 and LP25 of the Kirklees Local Plan Strategy and Policies 2019 which seek to protect amenity, and so are material in this case, together with paragraph 136 of the Framework. I have also had regard to the Planning Practice Guidance to which my attention has been specifically drawn. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies and guidance.

Conclusion

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

Graham Wraight

INSPECTOR