



Appeal Decision

Site visit carried out on 7 June 2022

by Mrs J A Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2022

Appeal Ref: APP/W2845/H/21/3280283

**North elevation of 21 Waterloo House, Market Square,
Northampton NN1 2DL**

- 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 Concept Sign and Display Limited/Open Outdoor Media against the decision of West Northamptonshire Council.
 - The application No N/2021/0471, dated 29 March 2021, was refused by a notice dated 22 July 2021.
 - The advertisement proposed is a 48-sheet digital advertisement.
-

Decision

1. For the reasons that follow, the appeal is dismissed.

Main Issue

2. Powers under the Regulations that control advertisements may only be exercised in the interests of amenity and public safety. There is no objection in this case on public safety grounds. The main issue therefore relates to the effect of the proposed advertisement on the amenity of the local area, including the character and appearance of All Saints Conservation Area and the special interest of nearby listed buildings.

Reasons for the Decision

3. As recognised by the Government's Planning Practice Guidance, advertisements such as that proposed in a built-up commercial area can be acceptable in principle.¹ However, the Guidance also confirms that in assessing amenity, consideration needs to be given to local characteristics such as important historic, architectural or cultural features which may mean, for instance, that a large poster-boarding would be refused where it would dominate a group of listed buildings.² In addition, the National Planning Policy Framework states that the quality and character of places can suffer when advertisements are poorly sited and designed.³
4. Waterloo House is in the All Saints Conservation Area, within the medieval walled area of Northampton's historic core. The focus of the Conservation Area is the eponymous church (to the south of the appeal building on the far side of Mercer's Row) and the Market Square, believed to be one of the largest in England. The buildings around the Square date primarily from the 18th and

¹ Paragraph 079 Reference ID: 18b-079-20140306

² *ibid*

³ Paragraph 136

early to mid-19th century, having been rebuilt following a devastating fire in 1675. The predominant style of these high quality buildings is Georgian, a number of which survive on the western and southern sides in unspoiled condition. The northern side was redeveloped in the 1970s as part of the Grosvenor shopping centre, with much of the eastern side occupied by the modern façade of the Peacock Place shopping centre.

5. That historic Market Square is a key component of the character and appearance of the Conservation Area, and its heritage significance. I note in particular, the informal scale and variety of historic facades around it, where obvious commercial activity, especially advertising and signage, is mainly limited to ground floor level.
6. The vast majority of the traditional buildings around the Square are statutorily listed or 'locally listed'. Their special interest and heritage significance derives not only from their history and architecture, but also their juxtaposition and interrelationship with the other buildings around the Square and their contribution to the composition of the Square as a whole.
7. Waterloo House is a prominent but bland building within the Conservation Area. Above a ground floor canopy, its Market Square elevation is split vertically into two distinct halves: to one side are the storeys of office windows; the other comprises a solid, grey blank wall. On that wall, just above the canopy, are three municipal 'emblems'. Above them is a network of conduits and junction boxes around a large, square LED matrix screen which straddles the 2nd and 3rd floor levels.
8. It is proposed to install a 48 sheet (6.1m x 3.1m x 0.4m) digital billboard at second floor level in place of the existing display, which would be removed. The bottom of the display would be 7.25m above ground level. The illumination would be intermittent and the display would provide a range of advertisements, both static and moving, on a 10 second rotation between 06.00-midnight seven days a week.
9. Facing onto the southern side of the Square, Waterloo House clearly lies within the setting of the historic buildings. It is a typical 1960s town centre office building that extends over five storeys. It is unremarkable in character and appearance, although at the rear, it is attached to the front of what remains of an early 19th century building that faces onto Mercer's Row. It adds nothing to the streetscene and makes no positive contribution to the character or appearance of the Conservation Area. Whilst it makes no direct contribution to the special interest or heritage significance of the historic buildings around the Square, it clearly lies within their setting, a setting that is integral to allowing an appreciation of the significance of those buildings.
10. Despite the presence of commercial uses around the Square, large digital illuminated advertisements are not a prevalent feature here, with advertising being reasonably modest in design and generally confined to shopfronts. The proposed display, which would be clearly visible across the entire Square, from the buildings that surround the Square and on the approach to the Square when entering from the Grosvenor Shopping Centre, would be completely incongruous in its historic setting. As a large, illuminated display at high level, it would be overly dominant and obtrusive in its context, drawing attention to a building that, as noted in the Conservation Area Appraisal, already does not sit comfortably here. There would be consequent harm to local amenity, including

to the character and appearance of the Conservation Area and its heritage significance. There would be harm too, to one's appreciation of the heritage significance and special interest of the constellation of historic buildings around the Square.

11. Consent was granted in June 2010 for the existing screen and lighting on Waterloo House as an integral part of a wider regeneration and lighting scheme within the Market Square, aimed at promoting use of the space during the evening. That is quite different to the isolated commercial signage proposed and does not set a precedent for the display for which consent is now sought.
12. I recognise that the function of advertisement displays requires a degree of prominence. Nevertheless, I conclude that in this highly visible location, the sign would materially harm the character and appearance of the Conservation Area, which would not be preserved or enhanced. It would also fail to preserve the special interest and heritage significance of the historic buildings around the Square. In the language of the Framework, I consider that harm to be less than substantial. Indeed, as much is accepted by the appellant, although I consider that harm to be above the lowest end of that spectrum. Such harm, which is to be given great weight, is to be weighed against any public benefits.
13. There may be some economic benefits through the promotion of local businesses on the display, particularly in a post-Covid 19 world where many businesses are struggling, but any benefit in this regard is unspecified. That is a consideration therefore, that attracts limited weight at best. Whilst it is argued that the display would attract more footfall to the Square, particularly enhancing the evening economy, that assertion is not supported by any evidence to that effect.
14. I recognise that proposal would involve removal of the unsightly redundant lighting paraphernalia. There would be some, limited public benefit in this regard.
15. I am advised that the appellant has obtained advertisement consent for an identical screen located adjacent to the London Palladium, on a grade II* listed building in Soho Conservation Area, and for the largest portrait digital screen in Glasgow, located above Glasgow Central Station, a listed building in Glasgow Central Conservation Area. However, context is everything. There is nothing to indicate that the context for those consents bears any similarity to the historic Square which is the context for this appeal. As such, they do not carry any positive weight in my considerations.
16. In addition to commercial advertisements, it is suggested that the display could also provide a range of locally based information, including advertisements for local events, news and sports announcements etc, and could also provide an opportunity for urgent announcements to be made. There may be a limited public benefit in this regard too.
17. Overall however, the public benefits relied on by the appellant are not, in this case, sufficient to outweigh the harms that I have identified. For the reasons set out above, I therefore conclude on balance that the appeal should not succeed.

Jennifer A Vyse
INSPECTOR