
Appeal Decision

Site visit made on 26 July 2022

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH August 2022

Appeal Ref: APP/C1760/Z/22/3298964

Arcade House, Westbrook Close, Andover, Hampshire SP10 2BN

- 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 Alight Media against the decision of Test Valley Borough Council.
 - The application Ref 22/00750/ADVN, dated 11 March 2022, was refused by notice dated 12 May 2022.
 - The advertisement proposed is the replacement of an existing advertisement display with an illuminated 48-sheet digital advertisement display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Arcade House is within the Andover Conservation Area, and 10-12 Winchester Street and 7 Bridge Street are grade II listed buildings. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) advise 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. This would encompass listed buildings and conservation areas, and with regard to the latter as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

Main Issues

3. The main issues in this case are the effect of the advertisement on the amenity of the area, and also upon public safety.

Reasons

Amenity

4. Arcade House is a two storey building positioned within a corner plot formed by the junction of Westbrook Close with Winchester Street. The property is close to the historic town centre, with the rear elevations and roof-tops of the close-knit buildings along Bridge Street being clearly visible. The long terraces of mostly historic buildings that front the public footway is a distinct feature of the conservation area, reflecting the former function of the town as a wealthy market town. The presence of numerous high quality historic buildings, many

of which are ornamented with rich architectural detailing, is a distinct element of the significance of the conservation area, giving a grand, elegance of form and function to the public realm.

5. By contrast to the public face of these buildings, to the rear they have a diverse variety of forms, reflecting their organic, piecemeal development over time, and this contrast is part of the significance of the conservation area. When approaching the appeal site from the higher land to the south, the rear views of the historic buildings of the town centre form an interestingly varied backdrop to Arcade House. When compared to the eclectic variety of the rear elevations of these buildings with their use of traditional materials and pitched and sloping roofs, the plain, utilitarian appearance of Arcade House with its essentially rectangular, flat roofed form has a compact, simple appearance. It is the historic buildings that draw the eye, including those listed buildings that are nearby in Bridge Street and Winchester Street. These listed buildings make a positive contribution to the character and appearance of the conservation area, with their elegant, formal public facades and the organic diversity of the forms of their rear elevations.
6. The provision of a large, digital advertisement upon the eastern flank wall of Arcade House would appear harmfully intrusive. The large size of the advertisement along with its digital illumination and its prominent position to one side and above a car park would make it a dominating addition to the area. The advertisement would be visible from long distances away, particularly when approaching from the south and east, and the introduction of a large, illuminated advertisement in an area characterised by historic buildings would harmfully draw the eye. Such an incongruous juxtaposition would overwhelm the nearby listed buildings, detracting from their prominence within the area. Those close by on Winchester Street would be particularly affected, with the advertisement harmfully interrupting the historic cohesion of this part of the town.
7. Even though the images would be static, the bright, clear images of the illuminated display along with their sequential nature would be an alien addition within an area defined by its historic buildings and absence of other such large, illuminated advertisements and signs. Whilst there is a greater variety of ages of buildings to the south of Arcade House, nonetheless most of them have distinct forms and styles, such as the nearby police station and Salvation Army Citadel, and they complement rather than compete with the buildings in the conservation area. A large, illuminated advertisement, and one with a modern appearance, would become the dominant feature within such a location, and this dominance would be to the detriment of the attractive visual cohesion of the area.
8. The advertisement would be of a similar size and position to that already in place upon Arcade House, and the existing advertisement has been present for several years. However, the style, materials, and appearance of the current paper advertisement would have a less intrusive impact within the area when compared to the impact of the proposed illuminated advertisement.
9. The appellant refers to the increasing presence of advertisements similar to that proposed. Nevertheless, the circumstances of this case are such that the proposed advertisement would be unacceptably conspicuous and incongruous within the surrounding area. The advertisement could be remotely serviced

and would need less on-site attention than a paper one. However, such benefits would be limited and would not mitigate the significant and unacceptable harm to the area that would arise from its presence.

10. For these reasons, the advertisement would unacceptably harm the visual amenity of the area, and would neither preserve nor enhance the character or appearance of the conservation area. Given the size, digital nature of the advertisement, and the changing images, the conditions suggested by the parties, including those to control illumination and changes of the display, would not ameliorate the harm that would arise from the advertisement. Although not decisive in advertisement cases, I have had regard to guidance within the Andover Conservation Area Appraisal and Management Plan (2021) (the Plan), which seeks amongst other things, to preserve and enhance the conservation area by informing and managing change. In addition, objectives of the National Planning Policy Framework (the Framework) seek to control advertisements in the interests of amenity and public safety, recognising that the quality and character of places can suffer when advertisements are poorly sited and designed. As the advertisement would unacceptably harm the character and appearance of the area, it would fail to accord with either the aims of the Framework nor with those of the Plan.

Public Safety

11. The roads near to the appeal property are busy, providing access for motorists and pedestrians to the town centre and to nearby services and facilities. Near to the advertisement the road network is complex, with multiple junctions that are very close to each other. In addition, South Street also has a sharp bend for motorists to negotiate.
12. Although the advertisement would be set back from the road, given its height, size and illumination it would be clearly visible to those travelling from the east along South Street, including from long distances away. The advertisement would also be visible when exiting Winchester Street and from Savoy Close. Whilst the images would be static, the advertisement would be in the clear line of sight of motorists negotiating what is a complex road network. Despite the presence of street lighting within the area, the large size of the advertisement and its illumination would make it brightly conspicuous and distracting to all users of the highway throughout the day and night, and especially so because of the frequency of change of the images. The advertisement would be a diverting backdrop to users of the highway network, and the presence and impact of the advertisement would be detrimental to public safety in an area where users of the highway would need to concentrate. Furthermore, the presence of bright, illuminated sequential images in an area where there are no other similar such advertisements or signs would harmfully exaggerate the distracting nature of the proposal.
13. Taken as a whole, the advertisement would be unacceptably harmful to public safety, and conditions relating to the change of the images and illumination would not be sufficient to alleviate the harm. As the advertisement would be detrimental to public safety, it would fail to accord with objectives of the Framework that seek to control advertisements in the interests of public safety.

Other Matters

14. The appellant has referred to the advertisement being the sustainable development that is sought by the Framework. However, the Regulations and the Framework make it clear that advertisements should be subject to control only in the interests of amenity and public safety, albeit taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Consequently, economic and environmental benefits arising from the advertisement are not matters for my consideration.

Conclusion

15. Thus, the advertisement would cause significant harm to the visual amenity of the area and to public safety. For the reasons given above and having regard to all other matters raised, the appeal is dismissed.

JJ Evans

INSPECTOR