

Appeal Decision

Site visit made on 26 July 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/H1033/Z/22/3296548

11 Bridge Street, Buxton, SK17 6BS

- 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 Space Outdoor against the decision of High Peak Borough Council.
 - The application Ref HPK/2021/0571, dated 17 September 2021, was refused by notice dated 1 March 2022.
 - The advertisement proposed upgrade of existing 48-sheet advertisement hoarding to support digital poster.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is to replace a large existing “paper and paste” advertisement hoarding with a digital advertisement of the same size. The proposed digital advertisement would display static advertisements on rotation. It would be subject to a maximum level of night-time illuminance and advertisements would change no more frequently than once every ten seconds.

Main Issue

3. The main issue in this case is the effect of the advertisement on visual amenity, with particular regard to the Buxton Hardwick Conservation Area.

Reasons

4. The appeal property is an end-terraced three-storey stone property. It forms part of an attractive stone terrace in commercial and residential use and is located in a mixed use area including ground floor shops, upper floor dwellings, a garage, a pub and in the wider area, supermarkets.
 5. The advertisement the subject of this appeal is situated on the gable end of the appeal property and faces out towards Bridge Street, which in this location comprises a busy road adjacent to Buxton town centre.
 6. The appeal property is located in the Buxton Hardwick Conservation Area, which in this location is characterised by the presence of attractive period stone properties, of which the appeal property forms one, a dominant stone-built railway viaduct, car parking areas and modern stone-built supermarkets. There is a strong sense of Buxton’s rich heritage, with the presence of stone structures comprising a dominant feature.
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7. During my site visit, I observed that, despite that edge of town centre location and the presence of large, modern supermarkets and commercial uses in the wider vicinity, advertisements in the area tend to be relatively unintrusive. They tend to be limited to modest commercial adverts for the shop or business where they are located.
8. In this way, advertisements generally appear in keeping with their surroundings and it is the distinctive, historic attributes of Buxton Hardwick Conservation Area that dominate the appearance of the area.
9. The proposed advertisement would introduce a large digital advertisement, with changing images, into surroundings where no such advertisement exists. By its very nature, and unlike the existing non-illuminated “paste and paper” advertisement, the proposed advertisement would draw the eye to its illuminated screen during the daytime and during hours of darkness. The proposed advertisement would remain illuminated until midnight every night.
10. Further to this, the intermittent changing of the display – several times per minute – would further draw attention to the advertisement. I find that this factor, when combined with the advertisement’s illumination and its prominent siting would result in it appearing unduly dominant in its surroundings day and night.
11. In addition, as a large and prominent LED screen in an area where no such screens are visible, it would appear as an incongruous and visually intrusive addition, out of keeping with the character and appearance of the Buxton Hardwick Conservation Area.
12. The National Planning Policy Framework (the Framework) emphasises the importance of safeguarding the nation’s heritage assets. In reaching my decision below, I am mindful of the appeal property’s location within the Buxton Conservation Area and that the advertisement would fail to preserve its character and appearance.
13. I find that the proposed advertisement would be detrimental to visual amenity. It would be contrary to the Framework and to Local Plan¹ policies S7, EQ6 and EQ7, which together amongst other things, seek to protect local character.

Other Matters

14. In support of the advertisement, the appellant draws attention to other signs elsewhere. However, there is little to lead me to conclude that the circumstances relating to these signs are so similar to the advertisement proposed as to provide for direct comparison. However, notwithstanding this, I have found above that in this case, the proposed advertisement would be detrimental to visual amenity and hence the decision below.
15. The appellant, in support of its case, states that the proposed advertisement could increase business rate revenues, reduce waste, reduce trips to change the poster on the existing site and provide for charitable campaigns or public art during void periods. However, the proposal would be detrimental to visual amenity and I do not consider that this is something that these supporting factors, either individually or taken together, would alter or mitigate to any significant degree and hence my conclusion below.

¹ High Peak Local Plan (2016).

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR