



Appeal Decision

Site visit made on 24 August 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 6 October 2022

Appeal Ref: APP/D2320/Z/22/3301434

7 Stump Lane, Chorley, Lancashire, PR7 1SL

- 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 Kristian Ball of Clearglow against the decision of Chorley Borough Council.
 - The application Ref 22/00408/ADV, dated 6 April 2022, was refused by notice dated 31 May 2022.
 - The advertisement proposed is one internally illuminated digital advertisement board measuring 4.08m x 2.4m.
-

Decision

1. The appeal is allowed and express consent is granted for the display of one internally illuminated digital advertisement board measuring 4.08m x 2.4m as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Preliminary Matters

2. The description of the proposal in the application form is "*Erection of an LED digital advertising display affixed to the building. Height 2.4m x Width 4.08m x Depth 0.1 metre(s). The minimum display time for each advertisement shall be 10 seconds and there shall be no moving images, animation, video or full motion images. There shall be a smooth uninterrupted transition from one image to another. Transitions shall be of not greater than one second between static images. The advertising display shall have a default mechanism to freeze to a black screen in the event of any malfunction to avoid any flashing error messages or pixelation. The advertising display will be fitted with a sensor to monitor and adjust brightness to ambient light levels in line with the following: Daylight max 4800cd/m² and Dusk/Night 150cd/m.*" In the interests of clarity, I have adopted the concise description from the decision notice and the appeal form in the banner heading above.
3. The Regulations require that decisions are made only in the interests of amenity and public safety. This is confirmed by the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG).

Main Issue

4. The main issue is the effect of the proposed advertisement on amenity.

Reasons

5. The appeal site is the blank gable end side elevation of No 7, a semi-detached property at the corner of the wide road junction between Stump Lane and the

multi-lane A6. The property is well separated from nearby buildings including traditional terraced properties, larger and contemporary commercial premises and Council offices and depot. The varied styles, sizes and ages of buildings and uses results in a mixed urban character and appearance.

6. The internally illuminated advertisement would be roughly 4.5m above the ground. It would display only sequential static images, with smooth transition every 10 seconds and brightness would be controlled automatically.
7. The PPG sets out that the assessment of impacts on amenity takes into account the characteristics of the locality and whether the advertisement would be in scale and in keeping with any important historic, architectural, cultural or scenic features of the area.
8. Although large, the advertisement would not appear dominant or out of scale with the side elevation of No 7. Taking into account its separation from nearby buildings including large commercial and office premises and the adjacent multi-lane road and junction, it would not be out of scale with its surroundings.
9. By virtue of the orientation of the building, the advertisement would be angled away from the terraced dwellings on Arley Street and it would face across the A6 towards commercial premises. The display would be visible in close views from locations around the road junction. It would be viewed in the context of the Council depot, security fencing, gates and signage and nearby large commercial buildings. Long range views would be limited.
10. The proposal would not replace an existing advertisement and I did not see other similarly large digital displays in the immediate area. However, there is commercial signage, and digital displays, elsewhere on the A6. Consequently, the proposal would not be out of place in the mixed urban context. Although it would be visible, it would not be discordant and it would not diminish a strong sense of place or local distinctiveness.
11. For these reasons, the appeal advertisement would not harm the character and appearance of the area. Therefore, as it would not harm visual amenity, it would not conflict with the PPG or the Framework, which states that advertisements should be subject to control only in the interests of amenity and public safety.

Conditions

12. The Council has not suggested additional planning conditions, over the 5 standard conditions set out in the Regulations. The appellant has suggested controls on illuminance, the duration of display, malfunction cut out, and a restriction on moving imagery. These matters, including illumination levels, are specified on the application form. As there is little evidence that the proposal would harm amenity, non-standard conditions are therefore unnecessary.

Conclusion

13. For the reasons set out above, I conclude that the proposed advertisement would not harm amenity. Therefore, the appeal should be allowed subject to the standard conditions set out in the Regulations.

Sarah Manchester INSPECTOR