The Planning Inspectorate

Appeal Decision

Site visit made on 19 October 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2022

Appeal Ref: APP/U2370/Z/22/3304259
Wynsors Shoes, Dock Street, Fleetwood, Lancashire FY7 6JW

- 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 of Alright Media Ltd against the decision of Wyre Borough Council.
- The application Ref 22/00168/ADV, dated 17 February 2022, was refused by notice dated 21 June 2022.
- The advertisement proposed is the installation of 2 x 48 sheet freestanding digital advertising display units in 'double sided' format and mounted on a two-legged support structure, with each of the 48 sheet digital display screens measuring 6.4m in width x 3.4m in height and comprising a pressed metal frame and sealed LED screen.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

3. There is no dispute between the main parties in terms of the acceptability of the proposal in terms of public safety. The Highway Authority raise no objection to the proposal in this regard subject to the imposition of conditions. I have no reason to disagree with this view. The main issue is therefore the effect of the proposal on the amenity of the area.

Reasons

4. The proposed advertisement would be located alongside a wall within a car park to the side of Wynsors Shoes. It would be positioned on steel support legs and at its highest point would be about 6.1 metres above ground level. It would be double sided and would have LED changing static images.

5. This part of Dock Street includes areas of open land. Where buildings do exist in this part of Dock Street, they are generally more subordinate in scale and height when compared to the more imposing buildings on the other side of the road. The stepping down in the scale/height of buildings and structures from

one side of Dock Street to the other adds positively and distinctively to the character of the area. Furthermore, I was able to appreciate as part of my site visit that where advertisements do exist in the locality, they are generally modest in scale, are attached to existing buildings and are not illuminated. There is a notable absence of free-standing advertisements in the area and the street is generally appreciated as being devoid of advertisement clutter.

6. Owing to the overall size and height of the advertisement, coupled with its illumination and changing static images, I find that it would significantly detract from the pattern and appearance of development in Dock Street. It would be positioned well above the height of the existing wall to the Wynsors Shoes car park and would be experienced by passers-by as a dominant, prominent and out of place addition in the street-scene. Indeed, it would depart significantly from the pattern of development on this side of Dock Street which is much more open and where structures and buildings are much lower in height.

7. The appellant has referred me to examples of other similar advertisements, including some in other towns. The examples are not directly analogous and, furthermore, I have determined this appeal on its merits taking into account the site specific context of the appeal site. While I accept that the appeal site is not within a conservation area and the area is predominantly commercial in character, this does not in itself mean that the proposal should automatically be allowed. In this case, and for the reasons outlined above, I do not find that the proposal would have the effect of creating a high quality, beautiful and sustainable place as required by paragraph 126 of the National Planning Policy Framework 2021 (the Framework).

8. I conclude that the advertisement would be seen as an incongruous addition in the street-scene and would cause significant harm to the amenity of the area. There are no other considerations raised that outweigh this conclusion. It would not therefore accord with amenity requirements of policies CDMP3 and EP14 of the adopted Wyre Local Plan 2011-2031 and the Framework. The appeal is therefore dismissed.

D Hartley

INSPECTOR