
Appeal Decision

Site visit made on 01 November 2022

by C Harding BA(Hons) PGDipTRP PGCert MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2022

Appeal Ref: APP/J0540/Z/22/3294284

Footpath at Laxton Square, City Road, Peterborough PE1 1ST

- 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 Ms Bella Noakes on behalf of British Telecommunication PLC against the decision of Peterborough City Council.
 - The application Ref 21/01393/ADV, dated 23 August 2021, was refused by notice dated 7 January 2022.
 - The advertisement proposed is two digital 75 inch LCD display screen, one on each side of amended InLink unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed signage would be displayed on a hub unit. This structure does not currently exist. I understand that a planning application was made for the proposed hub and that planning permission was refused. That is not a matter before me, and I have approached this appeal on the basis of whether or not the advertisements proposed would be acceptable if displayed on a hub as intended.

Main Issue

3. The main issue is the effect of the proposed advertisements on the amenity of the area.

Reasons

4. The proposed advertisements would be located on a hub unit, within a paved area of public realm. The hub unit would replace an existing telephone box. The area immediately surrounding the location includes lampposts and signage, and cycle racks. Immediately to the east, there is a large construction site.
5. Peterscourt is a large red brick Grade II listed building, with distinctive fenestration and chimneys, and a somewhat collegiate character which lies to the north of the appeal site. Opposite, across a wide road, lies the former County Court building, which incorporates contrasting brickwork and is a non-designated heritage asset (NDHA). Together these buildings, although differing in design, are complementary and due to their size and detached nature, form a strong framing to the street as it narrows towards the city centre.
6. The appeal site is within a large area of paved public realm immediately to the front of the NDHA. The existing telephone box stands in relative isolation within this space. Indeed, the immediate streetscene is characterised by a

comparative lack of street furniture for a city centre location, which is to the benefit of the amenity of the area generally. Whilst there is modern development evident to the west and east of the site, the appeal site is located such that its surroundings are very much characterised by the large historic buildings located immediately to the north and south of it.

7. In this context, by being situated in a prominent location within the paved area, the introduction of the proposed digital advertisements would be to the detriment of the amenity of the area, distracting the eye from the pleasing composition formed by the buildings which frame this area of public realm when approaching from the east. The overtly modern, vibrant digital displays, which would appear incongruous in these historic surroundings. This harm would be exacerbated by the size of the advertisements and would not be mitigated by existing street furniture.
8. The proposed hub would be slimmer in profile than the telephone box it would replace. However, the structure itself is not before me and the advertisements it would support would be of significant scale. The existing telephone box currently hosts advertisements, and whilst the disused structure is not currently a positive addition to the area, the advertisements it hosts are not comparable to those now proposed in terms of illumination, animation or prominence, and do not therefore justify the harm that I have identified.
9. Even if the structure upon which the advertisements would be mounted were to have wider public benefits in terms of improving electronic communications, this is not a matter to which I can afford weight in the context of the advertisement regulations. Equally, although the advertisements could contain public awareness messaging, the specific content of the advertisements is not a matter that falls within the scope of this appeal.
10. I have had regard to the excerpts from other Inspector decisions¹ within the evidence, however these examples appear to be located in other settlements. Therefore, they do not assist in my assessment of this proposal in this location, and my decision is based upon the particular characteristics of this locality.
11. I conclude that the proposed advertisements would be harmful to the amenity of the area. I have taken into account Policies LP16 and LP19 of the Peterborough Local Plan which together, and amongst other factors, seek to ensure proposals positively contribute to the area, conserve and enhance the setting of heritage assets, and so are material in this case.
12. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. There would also be conflict with Paragraphs 197, 199 and 202 of the National Planning Policy Framework.

Conclusion

13. For the reasons set out above, I consider that the appeal should be dismissed.

C Harding

INSPECTOR

¹ APP/Z5630/H/18/3209488, APP/N5660/W/18/3199793, APP/Z41310/W/18/3205102 & APP/Z1775/Z/18/3211052