
Appeal Decision

Site visit made on 17 January 2023

by C Harding BA(Hons) PGDipTRP PGCert MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 February 2023

Appeal Ref: APP/X3540/Z/22/3305524

Advertising Right At Precision Pipework, Horn Hill, Lowestoft, Suffolk NR33 0PX

- 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 Wildstone Estates Ltd against the decision of East Suffolk Council.
 - The application Ref DC/22/1424/ADI, dated 01 April 2022 was refused by notice dated 28 June 2022.
 - The advertisement proposed is a new freestanding digital poster display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The control of advertisements is exercisable only with respect to public safety and amenity and in this case the Council has no objection over safety or the amenity of nearby residents. Therefore, the main issue in this appeal is the effect of the proposed advertisement upon the amenity of the area.

Reasons

3. The appeal site comprises an area of hardstanding located adjacent to the A12 road, and the service entrance and yard associated with nearby businesses. To one side of the proposed freestanding advertisement is the two-storey residential terrace of Horn Hill. Commercial premises and their associated signage, along with other large freestanding poster displays to one side of the appeal site, as well as on the Precision Pipework building itself are dominant on this part of the A12. Collectively, these features reinforce this area's mixed-use character and appearance.
4. The appeal proposal would introduce a large digital freestanding poster display within very close proximity to an existing large poster advertisement. Collectively, these would form part of the same vista when travelling by road or foot along the A12 on approach to Horn Hill, or when using the bus stop opposite.
5. The appellant indicates that the proposed digital poster display would be designed to be almost indistinguishable from traditional forms of poster advertising, because it would have variable brightness, and would display only static adverts. However, whilst the proposed poster display would not be excessively bright, as a result of the advertisements changing on a 10 second basis it would have a degree of animation that a more traditional poster advertisement would not, even without transitions being incorporated. I

consider that the change of the digitally displayed advertisements would be noticeable to pedestrians, if not occupiers of vehicles, and would draw the eye.

6. As a result of its scale, freestanding nature, positioning next to the roadside, and changing display, the appeal proposal, when viewed in conjunction with the adjacent existing large, illuminated poster display, would lead to excessive levels of commercial presence and advertising within the immediate area, and would be overly dominant in views from short distance vantage points along this transport route. Consequently, this would overwhelm the residential components of the area's mixed character and appearance.
7. The appellant has advised that the existing advertisement mounted on the side of the Precision Pipework building would be removed following the granting of express advertisement consent for the appeal proposal. Whilst this would mean that there would be no net gain in the total number of advertisements in this locality, the advertisement to be removed is located such that it is not currently seen at the same time as the existing larger format poster display, and therefore does not currently have a comparable cumulative effect. Accordingly, this would not overcome my concerns.
8. Although a poster advertisement may have previously been displayed on the gable end of 39 Horn Hill, the details of this advertisement are not before me, and in any case, it has since been removed. Necessarily, my assessment is based on the situation as it currently stands. Accordingly, I attribute no weight to this argument.
9. In view of the harm that I have found, this particular advertisement would be harmful to the amenity of the area. In accordance with the Regulations, I have taken into account the provisions of the development plan, insofar as they are relevant. As such, it would conflict with Policy WLP 8.29 of the Waveney Local Plan 2019 which seeks to protect amenity, and so is relevant in this case. For the same reason, the proposal would be contrary to the provisions of Paragraph 136 of the National Planning Policy Framework, which states that the quality and character of places can suffer when advertisements are poorly sited.

Other Matter

10. The appellant states that the proposed digital poster display would require fewer maintenance visits than a more traditional poster display and that it would therefore represent a more sustainable form of advertisement. However, there is no substantive evidence provided with regard to the comparative number of the maintenance visits that would be expected, or the expected energy consumption of the digital poster display. Accordingly, I afford very limited weight to this as an environmental benefit of the proposal.

Conclusion

11. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

C Harding

INSPECTOR