
Appeal Decision

Site visit made on 17 January 2023

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23rd February 2023

Appeal Ref: APP/L3245/Z/22/3308107

**Vehicle Repair Workshop, Smithfield Road, Shrewsbury, Shropshire
SY1 1PW**

- 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 Alight Media Limited against the decision of Shropshire Council.
 - The application Ref 22/03263/ADV, dated 13 July 2022, was refused by notice dated 7 September 2022.
 - The advertisement proposed is installation of a 1 x 48 sheet gable mounted digital display unit measuring 6.2 m wide and 3.2 m high, and comprising pressed metal frame with sealed LED screen.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on amenity having regard to the character and appearance of the area and streetscene. The Council has raised no objections regarding the effect on public safety. Although Smithfield Road is a busy main highway I see no reason to disagree, subject to the imposition of conditions to control the movement and transition of images as suggested by the Highway Authority.

Reasons

3. The proposed digital display unit would be mounted on a wall of a vehicle repair shop. It would face Smithfield Road and the River Severn at an angle, allowing the advertisement to be seen when approached from the west. The site is within the Shrewsbury Town Centre Conservation Area, with the nearest listed buildings being Nos.45-63 Mardol.
4. The approach to the appeal site from the west is marked by the pale cream coloured building of the Grade II listed Shrewsbury Hotel and then a terrace of white painted buildings, including the Grade II listed building of No.45 Mardol. The majority of these buildings have retail and commercial premises at ground floor level. The wall on which the advertisement would be sited is also white, with applied signage providing details of the 'Car Care Centre'. As the wall is angled towards the highway it is prominent in the street scene. The frontage of the Car Care Centre is dominated by mainly blue signage, with the neighbouring property being the blue coloured building of the Salopian Hotel.

In view of the separation distances, I consider that the proposed sign would cause no significant harm to the setting of the listed buildings in the immediate vicinity.

5. The conservation area is based upon the historic core of the city and includes properties around the large loop meander of the River Severn. The River Severn is adjacent to the opposite side of Smithfield Road from the appeal site within an area known as Mardol Quay. Although the area is generally commercial in nature there are some riverside trees and a small riverside public park with a large sculpture known as the Quantum Leap. Lamp standards and traffic signage are also present in the street scene. The open character of the area referred to by the appellant is largely a result of the lack of development alongside the River Severn at this point.
6. The proposed digital advertisement would be seen from the public park and in conjunction with the entrance to the historic street of Mardol when approached from the west. It would appear out of character, being within an area of older established buildings of varied ages and design which generally lacks any significant modern development. The advertisement would be a prominent addition because of its size, location and illuminated digital display. It would add to existing signage in the area, and because of its adverse visual impact, would fail to make a positive contribution to the local character and distinctiveness of the area. Having regard to s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I find that the proposed advertisement would fail to preserve or enhance the character or appearance of the Shrewsbury Conservation Area.

Other Matters

7. The appellant has referred to examples of other digital advertisements, including at Rhyl and Stockport. However, the particular site circumstances of those advertisements are different compared to those at the appeal site and insufficient reason to justify allowing the appeal before me.
8. Although existing signage at the appeal site would be removed, the introduction of a digital advertisement would not be the only means of improving the appearance of the site.
9. Reference is made to Council proposals under the 'Shrewsbury Big Town Plan' but no indication has been provided to demonstrate that the immediate setting of the appeal site would be affected. In view of the harm to amenity of the proposed advertisement it would not constitute sustainable development, as defined in the National Planning Policy Framework.
10. The Council has cited policies MD2 and MD13 of the Shropshire Site Allocations and Management of Development Plan and policies CS6 and CS17 of the Shropshire Local Development Framework Core Strategy in its reasons for refusal. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken these development plan policies into account as a material consideration, they have not been a decisive factor in my determination of this appeal.

Conclusion

11. Although the proposal would have no significant adverse effect upon public safety I have found above that it would harm the amenity of the area and

would fail to preserve the character and appearance of the Shrewsbury Conservation Area. I have taken all other matters raised into account, including the Planning Practice Guidance Notes and National Planning Policy Framework regarding advertisements. However, for the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR