



Appeal Decision

Site visit made on 27 January 2023

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date:

Appeal Ref: APP/U4610/Z/22/3306258

Land at 72 Foleshill Road, Coventry CV1 4JJ

- 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 Clear Channel UK against the decision of Coventry City Council.
 - The application Ref ADV/2022/1263, dated 17 May 2022, was refused by notice dated 18 July 2022.
 - The advertisement proposed is 'Installation of illuminated 48-sheet D-Poster (digital) display'.
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Decision

1. The appeal is allowed and express consent is granted for 'Installation of illuminated 48-sheet D-Poster (digital) display' 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 and the following additional conditions:
 - (a) The advertisement shall be displayed in accordance with the following approved plans: Location Plan PY4289/001, Site Plan PY4289/002, Proposed Elevation Plan PY4289/004, Proposed Specs Plan PY4289/005.
 - (b) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent replacement Guide).
 - (c) The advertisement hereby permitted shall have no moving images, videos, flashing lights or other intermittent lighting. The minimum length of time for each display must be no less than 10 seconds and the time interval between successive displays shall be no greater than 0.1 seconds with no other animated transition methods between successive displays.

Preliminary Matters

2. The type of advertisement proposed was amended from "Installation of freestanding illuminated 48-sheet D-Poster (digital) display. -Illumination to comply with Institute of Lighting Professionals' PLG05 (see planning statement). – Frequency of images to be no greater than once every ten seconds, - No moving images, video or flashing lights to be displayed". I have utilised the amended description as it is more concise and as elements of the original description are better addressed by way of planning conditions.

Main Issue

3. The main issue for the appeal is the effect of the proposal on the amenity of the area; particularly whether the proposal would preserve or enhance the significance of the Coventry Canal Conservation Area (CA).

Reasons

4. The appeal site is the forecourt and car park of a vehicle repairs place fronting the B4113 Foleshill Road. The character of the road is mixed; one side of the road predominantly comprises of industrial and commercial uses and the other side (opposite the appeal site) is a mix of residential and commercial uses.
5. The site is adjacent to the boundary of the CA, which is on the opposite side of the road. The CA boundary is tight to the canal and canal side itself, although it does include some small areas immediately aside the canal which were yards and buildings associated with the past economic and social function of the canal. As such, the new residential apartments opposite to the appeal site are of an industrial wharf type design, in keeping with the historic function of the canal side CA.
6. The appeal proposal seeks to introduce a display board abutting the side elevation of a building within the forecourt of the vehicle sales place. There are several advertisements in the immediate vicinity, including large freestanding display boards and advertisements which are fixed to buildings. This reflects the tight grain and mixed nature of the busy road and land use of the street. Whilst the Council considers that the street already has a cluttered appearance and thereby the proposed advertisement would further add to that clutter, the advertisement in question would be contained to the flank wall of an existing building; which currently features a smaller advertisement board and which has in the past also featured a large freestanding advertisement, similar to that proposed. As such, the siting of the appeal proposal would not encroach onto the street and would be neatly contained alongside other advertisements fixed onto neighbouring buildings.
7. The advertisement would also include a 'vertical meadow'; which would provide relief from the stark built form of the elevation.
8. Moreover, the area does have a certain frenetic character due to the busy road, industrial uses and dense grain of residential and non-residential buildings. The proposed advertisement would not detract from this. Indeed, the historic function of the canal side would have had a similar frenetic character and the current character of Foleshill Road reflects the evolution of the local lifestyle and economy. As such, the appeal proposal would not detract from the amenity of the area, and it would not conserve the setting of the CA.
9. For these reasons, the advertisement would accord with the National Planning Policy Framework (the Framework) and policies DE1 and HE2 of the Coventry Local Plan (adopted 2017). These policies seek, amongst other things, to secure high-quality design and conserve or enhance the significance of heritage assets.

Conditions

The Council has indicated that it does not consider there to be a need for any conditions other than the standard conditions set out in the Regulations. However,

given the proximity of the advertisement to a busy road and residential properties, I consider it is necessary to impose conditions relating to approved plans, levels of luminance and fixed images; to protect highway safety and residential amenity. These conditions reflect the original description of the advertisement in the Appellant's application form.

Conclusion

10. For these reasons, the appeal is allowed.

Kim Langford Tejrar

INSPECTOR