



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: 1st March 2023

Appeal Ref: APP/E3715/Z/22/3303299

Land adjacent to 84 Newbold Road, Rugby CV21 2NQ

- 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 Space Outdoor against the decision of Rugby Borough Council.
 - The application Ref R22/0233, dated 09 March 2022, was refused by notice dated 25 May 2022.
 - The advertisement proposed is 'Advertisement consent for upgrade of existing 48 sheet advert to support digital poster'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of advertisement proposed was amended following submission of the application. The descriptions are similar, and I have utilised the amended description.
3. The appeal site address was given as 'Corner of Newbold Road and Wood Street' on the application form and appeal form, and 'Land adjacent to 84 Newbold Road' on the decision notice. I have utilised the latter address, which is a more accurate description of the appeal site.

Main Issues

4. The main issues for the appeal are the effect of the proposal on the amenity of the area and neighbouring properties and the effect of the proposal on highway safety.

Reasons

5. The appeal site is a corner plot at a crossroad priority junction of the A426 Newbold Road and Wood Street. The site is a verged area at the edge of the junction which contains three existing advertisement hoardings affixed to a high fence structure.
6. Wood Street marks a transition point along Newbold Road; past a railway bridge and Wood Street the character of the road is residential; comprising predominantly modest two-storey dwellings. Until Wood Street crosses Newbold Road, the character of Newbold Road is industrial and commercial in nature. The appeal site is adjacent to semi-detached houses which front Newbold Road and low-rise commercial buildings past Wood Street. As a

- transition point, the appearance of the site makes a neutral contribution to the character of the area.
7. The appeal proposal seeks consent for a single digital advertisement hoarding in place of the three existing display boards. It is a material consideration that, according to the Appellant, the existing hoardings benefit from deemed consent under Regulation 13 of the Regulations.
 8. The proposal would reduce the amount of advertisement paraphernalia on the site and would thus reduce the appearance of 'clutter' in the area. The proposal would also result in the removal of the hoardings and high-fence at the site; opening the site up to a landscaped grass verge and improving the visibility splay of the junction in one direction.
 9. However, the advertisement would abut the flank elevation of the two-storey semi-detached dwelling at first floor level. This siting would appear disproportionate to the dwelling and would overbear it. The juxtaposition of the large advertisement and modest dwelling would encroach onto the more residential character of the area past Wood Street and would emphasise the disproportionate scale of the advertisement with its modest surroundings.
 10. Moreover, the benefit to highway safety arising from the increase in visibility splay would be off-set by the introduction of an illuminated advertisement at a priority junction. Although conditions could control levels of luminance and image transition speed, such conditions could not effectively mitigate the potential for harm to highway safety resulting from the introduction of an illuminated advertisement at an otherwise only street-lit priority junction. Whilst the Appellant has provided accident data with their appeal submissions, this information does not establish that the proposed advertisement would represent an improvement to highway safety because the existing and proposed arrangements would be different in nature.
 11. As such, the proposed advertisement would not represent an improvement to amenity or highway safety over that of the existing deemed advertisements.
 12. Further, the very close proximity of the illuminated advertisement hoarding to the nearest dwelling would have an adverse impact on the amenity of existing and future occupiers of that property, by virtue of the, albeit controlled, levels of luminance and dominant scale of the advertisement.
 13. A previous planning application for a similar scheme was dismissed on appeal (PINs Ref APP/E3715/Z/19/3225847) for similar reasons. I have had regard to the decision letter for that appeal, and I have determined this appeal on its own merits. The amenity of neighbouring property was not a main issue for that appeal.
 14. There may be some limited social benefit arising from the advertisement of charities, emergencies or local events and environmental benefits from digital display. I attribute this limited weight because it is unquantifiable. The advertisement is proposed for general commercial purposes. In any case, it would not outweigh the harm to the amenity of the area and neighbouring property.
 15. For these reasons, the advertisement would not accord with the National Planning Policy Framework (the Framework) and policy SDC1 of the Rugby

Local Plan, adopted 2019. These policies seek, amongst other things, to secure high-quality sustainable design and to protect amenity and highway safety.

Conclusion

16. For these reasons, the appeal is dismissed.

Kim Langford Tejrar

INSPECTOR