



Appeal Decision

Site visit made on 7 August 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2023

Appeal Ref: APP/C3240/Z/23/3318313

Land adjoining 34 Station Road, Ketley, Telford TF1 5AQ

- 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 against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2022/0949, dated 18 October 2022, was refused by notice dated 16 January 2023.
 - The advertisement proposed is the display of 1no. internally illuminated digital advertisement display.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has referenced policies it considers to be relevant to this appeal and I have taken these into account as a material consideration. However, powers under the Town and Country Planning (Control of Advertisements) Regulations 2007 (The Regulations) to control advertisements, may only be exercised in the interests of visual amenity and public safety, taking account of any material factors. Consequently, the Council's policies have not by themselves been decisive in my determination.

Main Issue

3. Paragraph 136 of the Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council has not identified harm to public safety and therefore the main issue is solely the effect of the proposal on visual amenity.

Reasons

4. The appeal site is within the forecourt of a hot food takeaway in a corner plot. The takeaway is advertised by various building and forecourt signage. The building is to the rear of the site with a car parking area in front and a low boundary wall enclosing the frontage. Surrounding buildings are generally low-key and mostly consist of small-scale development, recessed from the highway creating a sense of spaciousness. The site is within a mixed-use area, with a church and commercial buildings evident, but the area is nonetheless predominantly residential in character. Road and on plot tree planting also contribute positively to the spacious residential character of the area.
5. The proposal comprises of a digital 48-sheet advertising display that would be internally illuminated. It would be located adjacent to the boundary fence of

the site and partly framed by tree and hedge screening behind. Nonetheless, the proposal would be a tall feature in this context, being mounted 2.4 metres above natural ground level. It would be substantially higher than the adjacent fence and the takeaway, being obtrusive and dominant in this setting.

6. Being in a predominantly residential area, the large format advertisement would be out of keeping within the suburban context. Such a scale is not encouraged by the Planning Practice Guidance in residential areas. Instead, it favours commercial areas for large advertisements where the context includes large buildings and main highways. Despite the presence of local commercial buildings, local buildings are generally two storeys in this suburban setting. As a result, the proposed advertisement would be a strident addition to the street.
7. The signage associated with the adjacent takeaway and other local commercial/community uses is relatively subtle and relates to specific business requirements. Therefore, whilst not resulting in proliferation or visual clutter, the proposed advertisement would degrade the appearance of the site due to its scale and prominence.
8. Moreover, regardless of the setting of the sequential display and the intensity of illumination, the proposal would harm the visual amenity of the area. The proposed advertisement would also not blend in with the streetlights around the site, being a solid and large form of illumination. It would be distinctly different to the more dispersed arrangement of local streetlighting. The attention that would be drawn to the advertisement would make it more apparent due to its illuminated nature, in combination with its height and scale, causing conflict with the character and appearance of the area.
9. Consequently, the presence of other advertising in the area would not ameliorate the impact or justify the proposal as their impact is less apparent. Other advertisement panels approved elsewhere in the district do not set a precedent for my consideration of this proposal and I have considered the scheme on its own merits. Furthermore, the advertisement hoarding identified by the Appellant, being around 250 metres from the site, does not form part of the character of the area against which the amenity impact has been assessed.
10. Accordingly, the proposed advertisement would harm the amenity of the local area. As such, the proposal would fail to meet paragraphs 130 and 136 of the Framework, which require development to be sympathetic to the local area and for a decision maker to consider its effect on amenity. Policy EC10 the Telford and Wrekin Local Plan, seeks to resist advertisements that would have adverse effect upon the character and appearance of an area and so is material in this case. Given that I have concluded that the proposal would harm amenity, the proposal also conflicts with this policy.
11. The benefits of the proposed advertisement, including the ability to broadcast emergency messaging and the opportunity to use void periods for non-commercial campaigns, would not outweigh the identified harm to the amenity of the area. Moreover, the noted reduction in the quantity of 48 sheet advertisements across the country shows a general trend of reduction, this does not establish a clear reason to support such a feature on the appeal site.
12. For the reasons given above, the appeal is dismissed.

Ben Plenty (INSPECTOR)