



Appeal Decision

Site visit made on 9 August 2023

by R Morgan BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2023

Appeal Ref: APP/X4725/Z/22/3306134

10 Horbury Road, Wakefield, WF2 9RW

- 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 Group Limited against the decision of Wakefield Metropolitan District Council.
 - The application Ref 22/01118/ADV, dated 12 May 2022, was refused by notice dated 18 July 2022.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Control of Advertisement Regulations require that proposals for advertisement consent should be assessed only in terms of their effect on amenity and public safety. Development plan policies should be taken into account, but only as far as they are material to these considerations. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

4. The appeal site is located at the intersection between Horbury Road and Dewsbury Road, on the approach into Wakefield city centre. The surrounding area contains a wide mix of uses, including residential, commercial, leisure and religious buildings. When approaching the site from Horbury Road, the overriding character is that of a traditional urban area, with houses, flats and small businesses the predominate form of development.
5. Most of the development around the appeal site is unremarkable in appearance, but there are two buildings of note in close proximity. Just across the road is The Redoubt, a traditional, white rendered pub with prominent chimneys. The building displays a plaque denoting that it is a heritage pub, owing to its historic interest. The distinctive yellow stone church of St Michael the Archangel is also very close to the appeal site. The pub and church are both attractive buildings, which contribute positively to the character of the area. Both are identified by the Council as Buildings of Local Interest.

6. Signage in the surrounding area is generally limited to shop front and fascia signs associated with local businesses. Large scale advertisement hoardings are not a common feature of the area, and when I visited, I saw no large digital format signs in the vicinity.
7. The existing paper sign on the gable end of 10 Horbury Road is one of the few large scale signs in the area. The sign, which showed no means of external illumination at the time of my visit, has been in place for a number of years, and so is an established feature in the streetscene.
8. The proposed 3m x 6m LED digital display would be of a similar size and position on the building as the existing sign. As it would be a replacement, it would not lead to additional advertisement clutter. The sign would be of a slim profile, with only a small projection from the building. As such, it would be less bulky than the previously proposed box-style digital sign, which was dismissed on appeal in 2017¹.
9. The brightness of the proposed display would be controlled in response to external conditions, and would be designed to look similar to a paper sign during the daytime. The proposed sign would have improved brightness control compared with the previously dismissed scheme, and I note the appellant's comment that there is no commercial imperative for overly bright signs, indeed they cost more to run at a higher luminance level. Even so, particularly in low light and dark conditions, the proposed digital display would appear much brighter, and so would be more obvious, than the existing paper sign.
10. As is currently the case, the proposed advertisement would face towards Horbury Road. As a result, it would be visible for a considerable distance along this straight section of road. From further away, the sign would be seen in the context of shop fronts and fascia signage along Horbury Road, but nearer to the site, residential uses become the dominant form of development. In this context, the bright digital sign with changing images would appear overly prominent and out of place, particularly on dull days and in the evening.
11. In closer views, from Horbury Road and around the gyratory, the proposed digital sign would be seen in the context of both the locally listed Redoubt Pub and St Michael the Archangel Church. I note that the Council's conservation officer has not objected to the proposal, and acknowledge that the setting of the locally listed buildings is strongly influenced by the road infrastructure. Even so, the two historic buildings make a positive contribution to the character and appearance of the area. Although it would be a replacement sign, the introduction of a digital format here would result in a marked change to the current situation, particularly in low light conditions. The bright, changing images would attract attention away from the adjacent historic buildings, and by doing so, would detract from the character of the area.
12. I acknowledge that there may well be circumstances, such as the case referred to in Bradford, where digital signs can be successfully positioned near to historic buildings². However, the Inspector's decision on the Bradford appeal clearly indicates that the site context was that of a commercial and industrial area, and that the sign would be viewed against the backdrop of nearby commercial buildings. That is not the case here. The surrounding context of the

¹ Appeal ref APP/X 4725/Z/17/3172163

² Appeal ref APP/W4705/Z/21/3280405

two schemes is very different, and the Bradford decision does not change my view on the appeal proposal.

13. For the reasons set out above I conclude that the proposed change to a digital format with changing images would cause unacceptable harm to the visual amenity of the area.
14. Policy D16 of the Development Policies Document 2009 requires that advertisements respect the character of the locality and any features of historic interest. For the reasons set out, the proposal would not comply with this policy. Similarly, it would fail to comply with Policy D9, which is concerned with the design of new development, and with Policy D19, which is concerned with Buildings of Local Interest.

Other Matters

15. No objections have been raised in relation to public safety, and I am satisfied that the display could be appropriately controlled to prevent distraction to drivers or other road users. However, that does not outweigh the harm that would be caused to the visual amenity of the area.
16. The appellant has identified a number of environmental, social and economic benefits of the sign, but I am only able to consider the proposal in terms of its effect on amenity and public safety. There is no indication in the Regulations, National Planning Policy Framework or Planning Practice Guidance that any other factors can be taken into account.

Conclusion

17. For the reasons set out, the appeal is dismissed.

R Morgan

INSPECTOR