



Appeal Decision

Site visit made on 24 October 2023

by K Jones BA (Hons) DipLA CMLI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/D0121/Z/23/3322737

64 Alfred Street, Weston-Super-Mare BS23 1PU

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations (the Regulations) 2007 against a refusal to grant express consent.
- The appeal is made by Wildstone Estates Limited against the decision of North Somerset Council.
- The application Ref 23/P/0326/ADV, dated 9 February 2023, was refused by notice dated 6 April 2023.
- The advertisement proposed is removal of existing paper and paste billboards and replacement with one digital billboard.

Decision

1. The appeal is dismissed.

Main Issue

2. The Council has raised no objections on the basis of public safety, and following my site visit I find no reason to disagree. Therefore, the main issue in this appeal is the effect on amenity, with reference to the Great Weston Conservation Area (GWCA).

Reasons

3. The appeal site comprises two 6m x 3m paper and paste advertisement boards, which I understand benefit from deemed consent, affixed to the northern elevation of 64 Alfred Street within the GWCA. In accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
4. The significance of the GWCA as a whole derives from the quality of its historic built environment focussed on the Victorian growth of the town, the pattern of its streets and spaces, and the relationship between the town and its seaside setting. Within the Town Centre Character Area, the site is part of a townscape comprising early Victorian residential terraces with an intimate character. Whilst parts of this area are suffering from a lack of maintenance, this does not detract from the appreciation of the historical significance of the site's context.
5. As a predominantly residential area, levels of night-time illumination are generally limited to timed or dimmed streetlights, or lower-level directional lighting. I note that a streetlight is positioned close to the appeal site, but this is at a low level and directed away from the billboards. The billboards themselves are not illuminated.

6. There are very few examples of advertising or signage in the area around the appeal site, and signs that are present on small businesses further up Alfred Street are low-level and well-integrated into their surroundings. In contrast, the existing billboards installed at a high level are a conspicuous feature in the street scene. While the site is an established location for advertising and the number of billboards would decrease, the introduction of illumination at a high level and the frequently changing images of the digital billboard would appear incongruous in this context.
7. Although the levels of luminance of the display could be controlled and would not exceed the guidance set out by the Institute of Lighting Professionals, the proposed digital billboard would be a prominent feature in the street scene, particularly at night and in low daylight conditions. This increased prominence would result in harm to the character and appearance of the GWCA.
8. I have considered whether the proposal could be made acceptable in planning terms by the application of conditions. Conditions could be attached to control the nature of advertisements, level of illumination and frequency of change. Whilst these may reduce the impacts of the advertisement, they would not reduce the harm that I have identified to an acceptable level.
9. For these reasons, I conclude that the proposed sign would not preserve or enhance the character or appearance of the GWCA, such that it would adversely affect the amenity of the area. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. For the purposes of this appeal, I have taken into account Policy CS12 of the North Somerset Council Core Strategy, and Policies DM32 and DM3 of the North Somerset Council Sites and Policies Plan Part 1. Together these policies seek development that is sensitive to local character, and which conserves the character and appearance of Conservation Areas. Consequently, they are material in this case. Given that I have concluded that the proposal would harm the character and appearance of the GWCA, the proposal conflicts with these policies.

Other Matters

10. My attention has been drawn to nearby residential uses. However, even if there were no effect on the living conditions of occupants of nearby dwellings, this neutral factor would not outweigh the harm I have found in relation to the effect on the GWCA.
11. The appellant has indicated that a number of environmental, social, and economic benefits would be associated with the appeal scheme. These include, amongst other things, a reduction in vehicle trips in the area to repost the billboard, and a reduction in the waste from the production and disposal of the paper and paste posters. The appellant implies that these savings would be greater than the life cycle carbon cost of the production and operation of the proposed digital billboard. However, there is no compelling evidence before me to demonstrate that either that benefit, or the others identified by the appellant would be significant. In my judgement, the benefits described would not individually or cumulatively outweigh the harm that I have identified in relation to the main issue.

12. The appellant has also provided two examples of digital advertisements of the same dimensions that have been allowed in Conservation Areas. I have not been provided with the full details of these schemes, however I note from the decisions that in both cases the previous advertisements were illuminated. That is not the case with this site. Therefore, while I have had regard to those decisions, I have reached a different conclusion based on the evidence before me.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

K Jones

INSPECTOR