

Appeal Decision

Site visit made on 10 January 2024

by John Whalley

an Inspector appointed by the Secretary of State

Decision date: 30 January 2024

Appeal ref: APP/C1625/W/23/3332802

Site No. 1995, side of No. 113 Northgate Street, Gloucester GL1 2AA

- 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 Limited against the decision of Gloucester City Council.
 - The application, ref. 23/00548/ADV dated 30 June 2023, was refused by a notice dated 14 September 2023.
 - The advertisement proposed is: Conversion of poster advertisement display to D-poster.
-

Decision

1. The appeal is not allowed.

Main issue

2. The main issue follows from the Council's opposition case, that is would the proposed digital sign be an apt feature or unduly prominent and inharmonious, having due regard to the need to preserve or enhance the appearance of the London Road Conservation Area?

Appeal location and proposal

3. The appeal concerns No. 113 Northgate Street, a 3 storey end of terrace building that has a full height brick gable wall facing east at the junction with the A430 road Bruton Way and London Road.
4. The Appellant Company wish to replace the existing 6m x 4m internally illuminated poster advertisement on the gable wall of No. 113 with a D-Poster. That is an advertising panel illuminated by lightweight LED coloured panels. The new sign would be 6m wide, 3m high and 100mm thick.

Considerations

5. There is a general duty under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, that in the exercise of planning functions, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, (s.71A of the Act).
6. The Appellants said the proposed display would meet modern requirements. It would be capable of displaying 6 advertising campaigns at a time, sequencing every 10 seconds. That ability to carry multiple adverts would cater for local

- demand, reducing pressure for new locations. The proposed new sign was part of a nation-wide project to upgrade traditional advertising hoardings to a modern digital format. There would be a reduction in the number of adverts as multiple advertising campaigns can be supported by single panels.
7. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Regulation 6, Schedule 3 sets out classes of advertisement for which deemed consent is granted included in Part 1, Class 13 - Advertisements on sites used for preceding ten years for display of advertisements without express consent.
 8. It is accepted that the existing large advertisement on the gable wall of No. 113 Northgate Street has deemed consent having been in place for more than 10 years. That deemed consent would seem to offer a better opportunity to fit the modern digital format sign as proposed by the Appellants. It was said the proposed display would meet modern requirements, capable of displaying 6 advertising campaigns at a time, sequencing every 10 seconds; that is 6 advertisements a minute. They said that ability to carry multiple adverts would cater for the demand in the area and reduce the pressure for new locations.
 9. I consider the Council right to be concerned that the proposed illumination of the large advertisement and its constantly changing display would not meet the test of preserving or enhancing the character or appearance of this part of the London Road Conservation Area, adding to the discordancy of the present large advertisement sign. The new sign would considerably add to the present incongruity of the large advertisement hoarding by being more visible, eye-catching and striking, as presumably, is intended. It would be ill-fitting in views to the west along London Road down Northgate Street, each side fronted by a number of listed buildings and buildings considered to make a positive contribution to the Conservation Area.
 10. The National Planning Policy Framework at para. 136 says that the quality and character of places can suffer when advertisements are poorly sited and designed. In my view, the proposed illuminated advertisement cannot be said to make a positive contribution to the character of this part of the Conservation Area, nor would it be fittingly or appropriately sited in this part of the Area.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

John Whalley

INSPECTOR