

Appeal Decision

Site visit made on 19 March 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9th April 2024

Appeal Ref: APP/Q3060/Z/23/3332942

Land Adjacent 310 Hucknall Lane, Nottingham, NG6 8AB

- 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 Nottingham City Council.
 - The application Ref 23/01460/ADV2 (PP-12383375), dated 11 August 2023, was refused by notice dated 17 October 2023.
 - The advertisement proposed is removal of two existing advertising displays and installation of one digital display.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is to replace two existing “paper and paste” advertisements adjacent to one another with a single digital advertisement, which would be the same size as one of the two advertisements it is proposed to replace.
3. The proposed digital advertisement would display multiple static advertisements on rotation. It would be subject to a maximum level of night-time illuminance and advertisements would change no more frequently than once every ten seconds.
4. The appellant considers that the Council did not work proactively to look for a solution for what the appellant considers was an appropriate minor development. Notwithstanding my decision, this is a matter between the appellant and the Council.

Main Issue

5. The main issue in this case is the effect of the advertisement on visual amenity.

Reasons

6. The appeal site comprises a free-standing raised advertisement display supporting two large paper and paste billboards immediately adjacent to one another.
 7. The appeal site is located in a mixed use area next to a car park adjacent to a tram stop. The advertisement billboards are located close to a long row of low-level single storey commercial units including a café and are set back from Hucknall Lane behind a wide area of pavement.
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8. Directly opposite Hucknall Lane from the advertisement billboards are two storey semi-detached and terraced dwellings. These houses are set back from the road behind low fences and/or low hedgerows, short gardens and parking areas. The front windows of these dwellings face directly towards the advertisement billboards, separated by the road, paving and gardens.
9. During my site visit, I observed a number of what appear to comprise large, externally lit, paper and paste advertisement billboards. However, these are located some distance away from the appeal site and are well-separated from it by the long row of commercial units.
10. I also noted during my site visit that, whilst the advertisement billboards the subject of this appeal are relatively large, their set-back from the road and particularly, their unlit paper and paste nature combines to present advertisements that do not appear unduly intrusive in their surroundings.
11. The proposed advertisement would replace the two large advertisement billboards with a single large digital advertisement. This would have changing images. It would introduce a large digital advertisement into surroundings where no such advertisement exists.
12. By its very nature and unlike the existing non-illuminated paper and paste advertisement billboards, the proposed advertisement would draw the eye to its illuminated screen during the daytime and also during hours of darkness up until 11pm every evening.
13. The intermittent changing of the display – several times per minute – would serve to draw further attention to the advertisement. I find that this factor, when combined with the advertisement's size and illumination, would result in it appearing intrusive and unduly dominant within its surroundings.
14. This visual intrusiveness would be exacerbated as a result of the incongruous appearance of the proposal - as a large LED screen in an area where no such screens are visible. This visual intrusiveness would be most notable from the dwellings located directly opposite the appeal site.
15. Taking all of the above into account, I find that the proposed advertisement would be detrimental to visual amenity. It would be contrary to the Framework and to Local Plan¹ Policy DE5, which together amongst other things, seek to protect local character.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Nottingham Local Plan (2005).