



Appeal Decision

Site visit made on 26 March 2024

by Sarah Manchester BSc MSc PhD MIEEnvSc

an Inspector appointed by the Secretary of State

Decision date: 22nd April 2024

Appeal Ref: APP/N2345/Z/23/3333282

261 Skeffington Road, Preston, Lancashire PR1 6RX

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Wildstone Group Limited against the decision of Preston City Council.
 - The application Ref 06/2023/0717, dated 23 June 2023, was refused by notice dated 26 September 2023.
 - The advertisement proposed is described as "Display of 48 sheet "D-Poster" advertising hoarding".
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Decision

1. The appeal is allowed and express consent is granted for the display of 48 sheet "D-Poster" advertising hoarding as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The maximum level of illumination shall be no greater than 300 candela/m² during hours of darkness (dusk until dawn), in accordance with the terms of the Institute of Lighting Professionals Professional Lighting Guide 05 Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
 - 2) The luminance level of the display shall be controlled by ambient environmental control, which will automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.
 - 3) No individual advertisement displayed on the digital screen shall contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
 - 4) The approved display shall contain at all times a feature that will turn off the screen and show a black screen in the event that the display experiences a malfunction or error.
 - 5) There shall be a smooth uninterrupted transition from one image to another. Transitions shall be of not less than one second between static images, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

- 6) The advertising display shall be switched off between the hours of 23:00 and 06:00.

Preliminary Matters

2. The Regulations require that decisions are made only in the interests of amenity and public safety. This is confirmed by the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG). Therefore, while I have taken into account the policies that the Council consider relevant to this appeal, they have not been decisive in my determination of it.

Main Issue

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

Reasons

4. The appeal relates to the gable end of an end terrace property at the junction of St George's Road and Skeffington Road. It is a primarily residential area, although with a somewhat mixed local character due to Deepdale Labour Club on the opposite side of the St George's Road junction to the north and commercial premises, including a car dealership and food retail store, to the south. Further north, the townscape is dominated by Deepdale Stadium.
5. The proposal would replace the existing advertisement, this being a long-established feature in this location and that benefits from deemed consent. There is little evidence that the existing would be removed if the appeal should fail. I note the Council's concerns in relation to the proposal's location, orientation, siting, height, illuminance and the changeable content. However, at roughly 3m tall, 6m wide, and elevated above the ground by over 2m, the proposal would be a similar size and siting to the existing. It would differ insofar as it would be internally illuminated and capable of displaying sequential static images.
6. The existing advertisement is, and therefore the proposal would be, visible in relatively long views along Skeffington Road to the north as well as from the immediately surrounding area. In this regard, the illuminated changing imagery would be more conspicuous than the existing static advertisement. However, the local townscape is unremarkable, with apparently little architectural or historic merit. Consequently, the proposal would not diminish local distinctiveness or detract from any significant townscape views.
7. The evidence indicates that the images would effectively mimic traditional poster displays, the brightness would be controlled and the hours of operation would be curtailed to avoid the sensitive overnight period. On this basis, the visual impact of the proposal on the surrounding area would not be markedly different or more obtrusive than the existing. Moreover, the advertisement would face towards the Labour Club rather than directly towards habitable room windows in nearby dwellings. Taking into account its oblique siting and separation and its operational controls, the sequential imagery would not harm the visual amenity of neighbouring residential occupiers in their habitable rooms or private outdoor spaces.
8. Commercial signage elsewhere on Skeffington Road is both smaller and related to the commercial uses and there are no other similar digital displays to provide a visual context for the proposal. However, in this case, that weighs in

favour of the proposal rather than against, as the changing static imagery would be viewed in isolation rather than in combination with other sequential imagery or advertising such as would be likely to be cumulatively visually jarring and disruptive. Furthermore, while the streetlighting might not be high illuminance, on the basis that the level of illuminance of the proposal could be controlled, this is not a factor that weighs against the appeal.

9. The appellant has provided examples of consented advertisements in urban residential areas elsewhere. Some of these appear similar in terms of the surrounding built environment, but full details have not been provided to demonstrate that any of them is directly comparable. In any event, each case must be considered on its own merits and none of the examples provide a visual context for the proposal.
10. The Council refers to a proposed advertisement dismissed on appeal¹, which it considers to be similar to the proposal in terms of its visual impacts. Again, full details have not been provided, but I am familiar with that case. It is similar to the proposal insofar as it relates to a similar advertisement, but it differs including that there was no existing advertisement and it would be discordant in the visual context of the mature wooded countryside that frames that location. As it is not directly comparable to the proposal or its surrounding context, it does not provide a justification to dismiss the appeal.
11. Therefore, I conclude that the proposed advertisement would not harm the character and appearance of the area. Accordingly, it would not harm amenity. Consequently, and although not determinative in this appeal, it would not conflict with Policy EN9 of Preston Local Plan 2012-2026 Site Allocations & Development Management Policies Adopted July 2015. This requires, among other things, that proposals make a positive contribution to the character and local distinctiveness of the area. It would also not conflict with the PPG or the policies in the National Planning Policy Framework.

Conditions

12. Both parties suggest conditions in the event the appeal was allowed, including controls on illuminance and the duration of display and transition, restrictions on moving images and animation, and a cut out in the event of malfunction. Having assessed these against the tests in the Framework, I find that these are necessary in the interests of amenity and public safety.

Conclusion

13. For the reasons set out above, I conclude that the proposal would not harm amenity. Therefore, the appeal is allowed subject to the standard conditions set out in the Regulations and the additional conditions.

Sarah Manchester

INSPECTOR

¹ Ref: APP/N2345/Z/21/3282509