



Appeal Decision

Site visit made on 22 April 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 May 2024

Appeal Ref: APP/G3110/Z/23/3334346

Magenta Storage, 91 - 99 Botley Road, Oxford OX2 0EZ

- 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 Magenta Storage Ltd against the decision of Oxford City Council.
 - The application Ref is 23/01884/ADV, dated 11 August 2023, was refused by notice dated 10 October 2023.
 - The advertisement proposed is Replacement of existing externally illuminated signage with new LED illuminated advertisement display unit, measuring 6.4m wide x 3.4m.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As this appeal relates to an advertisement consent, in accordance with the Regulations¹, their effect on amenity and public safety are the only matters to consider. Therefore, I have taken into account the provisions of the development plan so far as they are material.

Main Issues

3. As public safety is not in dispute between the parties, and I have no reason to contradict this, therefore the main issue is the effect of the proposed advertisement on amenity.

Reasons

4. The appeal site is the three storey storage building called Magenta occupying 91-99 Botley Road. The site is located outside the historic core of the city centre on a main arterial route and has a mixed characteristic of both a commercial and residential nature. The site occupies a large block between the residential streets of Riverside Road and Harley Road. Opposite is Waitrose supermarket with other retail parks set back from Botley Road, all of which are modern in character and display advertising associated with the specific business. I could see that both gable ends contain a high-level externally illuminated sign advertising the storage business.
5. The proposed advert would replace the existing large flat sign on the corner with Riverside Road with a new modern digital 48-sheet LED advertisement with changing content around every ten seconds, with its location and

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

orientation affording views from the passing motorist and pedestrian from various vantages.

6. Whilst there is a large existing sign, and this is material in my consideration, and despite the proposed advert also sizable, it would a new form of digital advertising of a very different characteristic to the existing advert it would replace that is non-digital, non-internally illuminated and one dimensional. Even though it would advertise the host business as part of the sequence of multiple advertisements on rotation, local display adverts are predominantly associated with the units they are positioned upon and do not change at regular intervals. These existing adverts are not comparable to this type of digital advertising sheet. As a consequence of its scale, location and LED technology, it would not integrate positively into its context where adverts as this are not present in the immediate locality.
7. Directly opposite the proposed location is a large dwelling where numerous windows overlook the gable of the storage building. Whilst it would be mounted at high level, the dwelling is also three storeys with its many windows in close quarters to this proposed advert. The outlook occupants would experience would be that of a largescale advert at approximately 6.4m by 3.4m with its regularly changing digital imagery of a bright LED format that is not a characteristic of the existing Magenta signage with its flat, surface-mounted display and discreet external trough lighting. Nor can it be compared to other signage seen from this residential perspective that is of a very different variety and located some distance away. Whilst illuminance levels and frequency of changing imagery of the advertisement can be conditioned, should I see fit to allow the appeal, nevertheless, its proposed scale and high-level digital format would appear garish and harmful to the amenity levels of the occupants of this dwelling.
8. Irrespective of adverts brought to my attention by the appellant seen elsewhere, from what is presented before me they are not of the same circumstances as this appeal. When viewed in this specific context, this new digital advertising would introduce a discordant feature that would appear as incongruous and would thus cause visual harm to the amenity of the local area.
9. Therefore to conclude, I have taken into account the provisions of the development plan so far as they are material. On this basis it would not meet the broad amenity aims and objectives of the 2020 Oxford Local Plan 2036 policies DH1, DH6 and RE7.

Conclusion

10. For the reasons given above and having had regard to all other matters raised, the appeal is dismissed and advertisement consent is refused.

Alison Scott

INSPECTOR