

Appeal Decision

Site visit made on 26 April 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 16th May 2024

Appeal Ref: APP/D4635/Z/24/3336528

Land and Buildings to the North Side of Navigation Street, Wolverhampton, WV1 3RE

- 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 the City of Wolverhampton Council.
 - The application Ref 23/01074/ADV, dated 27 September 2023, was refused by notice dated 16 November 2023.
 - The advertisement proposed is the erection of new digital poster display.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for an illuminated LED advertisement with a display screen size of 6m x 3m. The base of the screen would be 3.15 metres from the ground.
3. The Council's reason for refusal stated that the proposed development would fail to preserve or enhance the Cleveland Road Conservation Area. However, the site is not within the Cleveland Road Conservation Area. Further to this, there is no detailed information before me to demonstrate that the proposal has any impact on the setting of the Cleveland Road Conservation Area.

Main Issue

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

Reasons

5. The appeal site is located to the north of Navigation Street and Bilston Road, a major transport route. It is located immediately to the west of a relatively low-lying brick-built industrial building of modest appearance.
 6. The surrounding area is mixed use, including housing, industrial uses and a modern car showroom. There is a modern tramway and a tram stop located within the middle of Bilston Road, directly across the southerly-bound carriageway of Bilston Road from the appeal site. Further away to the south, on the opposite side of Bilston Road to the appeal site, there is a retail park.
 7. There are areas of green space to the north west of the site. These combine with the expansive width of Bilston Road, the presence of significant areas of
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car parking, residential gardens and open land around relatively low-rise commercial buildings, to provide the area with distant views in various directions.

8. During my site visit, I noted that there are no large, raised LED screens, such as that proposed, in the area surrounding the appeal site. Signage in the immediate area appears directly associated with the use of the buildings or sites where it is located and whilst there are a number of large signs further afield, these appear as simple poster boards or shop signs associated with the retail park.
9. The proposed advertisement would be located in a prominent location facing out towards two lanes of oncoming traffic and Bilston Road's busy junction with Sharrocks Street and Steelhouse Lane. It would be raised significantly above the ground and I find that its imposing height would combine with the proposal's prominent location, large size and LED screen to result in it appearing as an intrusive feature that would dominate its surroundings to an undue extent.
10. Furthermore, in the absence of any other such large LED advertisements in the area, the proposal would appear as an alien feature, out of character with its surroundings and I consider that its incongruous appearance would add significantly to the intrusiveness of the proposal.
11. 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 National Planning Policy Framework and to Wolverhampton Unitary Development Plan (2006) Policies D4 and D6, which together amongst other things, seek to protect local character.

Conclusion

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

N McGurk

INSPECTOR