



Appeal Decision

Site visit made on 14 May 2024

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2024

Appeal Ref: APP/V1260/Z/23/3328695

Land at East of Hurn Road, Christchurch

- 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 Mr Ahmed Almady against the decision of Bournemouth Christchurch and Poole Council.
 - The application Ref is 8/23/0286/ADV.
 - The advertisement proposed is erection of a digital advertisement.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Whilst amenity is not defined exhaustively within the 2007 Regulations, the Planning Practice Guidance provides that, amongst other things, the Local Planning Authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the Local Planning Authority would consider whether it is in scale and in keeping with these features¹.
4. In this regard, the appeal site comprises a grass verge located on the corner of a junction between Hurn Road and Hillside Drive in Christchurch. Hurn Road extends towards the centre of Christchurch and is a gateway into Christchurch.
5. Lampposts are present along Hurn Road and Hillside Drive but the visual impact of these structures is muted due to their slimline nature. Road signage is occasionally present near the site, and a digital sign relating to a car park is present to the south of the site, but these are not visually significant features in the street scene. The road traffic illuminated bollards near the site are small in stature and accordingly appear discreet in nearby views. I observed that the directional sign referred to by the appellant, relating to Blackwater West Improvements, is no longer present.
6. Although Hurn Road is a busy route into Christchurch, the abundance of trees and shrubbery and the lack of substantial elements of built form in the vicinity gives the area a semi-rural character, even taking account of the street

¹ Paragraph 18b-079-20140306

furniture mentioned above and the junction to the north-west of the site referred to by the appellant.

7. The proposed advertisement would be a wide and tall structure which would contain a large digital display. It would be located in a prominent position, facing towards Hurn Road. It would obscure a significant proportion of the bank of trees behind it and due to the absence of structures of a similar scale nearby it would appear as an incongruous and imposing feature in the street scene.
8. As such, although it would be lesser in height than the trees behind it, it would nevertheless unduly compromise the semi-rural character of the locality, and the large digital display would detract from the verdant appearance of the vicinity. Given that the site is located on an important gateway location into Christchurch, significant harm to the amenity of the area would thereby result.
9. Conditions could be imposed to ensure that the level of luminance would be in compliance with the relevant guidelines. However, this would not mitigate the adverse impacts of the proposed advertisement on the amenity of the area arising during the daytime, referred to above.
10. I have had regard to the examples of consents for digital advertisements referred to by the appellant. The consents relating to 75 Old Wareham Road², Poole and 52-62 Bridge Street, Christchurch³ both related to the upgrading of existing advertisements. The consent relating to 393 Ashley Road, Poole⁴ related to an advertisement to be sited on an existing building. These 3 sites are also located near to existing commercial development, which is not the case with respect to the appeal site. Hence, none of these examples are directly comparable with the proposed advertisement. As a result, they do not change my findings on this main issue.
11. I therefore find that the proposed advertisement would have an unacceptable and harmful effect on amenity. I have taken account of Policies HE2 and HE3 of the Christchurch and East Dorset Local Plan: Part 1 - Core Strategy (adopted 2014) which collectively provide that, amongst other things, the design of development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness, which are material policies in this case. Given that I have found that the proposed advertisement would harm amenity, the proposed development conflicts with these policies.
12. The proposed advertisement would also conflict with paragraph 135 c) of the National Planning Policy Framework which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character.

Other Matters

13. Reference has been made to various potential economic, social and environmental benefits of the proposed advertisement, including in relation to the efficient use of land. However, the 2007 Regulations make clear that advertisements should be subject to control only in the interests of amenity and public safety. None of the other considerations raised therefore alters my findings on the main issue above.

² Local Planning Authority reference: APP/21/00214/A

³ Local Planning Authority reference: 8/21/0944/ADV

⁴ Local Planning Authority reference: APP/20/01195/A

Conclusion

14. For the reasons given above, having considered all relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR