
Appeal Decision

Site visit made on 21 June 2024

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2024

Appeal Ref: APP/Q3820/Z/23/3331748

Avery House, Brunel Place, Northgate, Crawley, West Sussex RH10 1JB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended ("the Regulations") against a refusal to grant express consent.
 - The appeal is made by Vivid Outdoor Media Solutions (B) Ltd against the decision of Crawley Borough Council.
 - The application Ref is CR/2023/0332/ADV.
 - The advertisement proposed is a replacement 48 sheet digital billboard (6 x 3 metres) with internal illumination.
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Decision

1. The appeal is allowed and express consent is granted for the replacement 48 sheet digital billboard (6 x 3 metres) with internal illumination 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) Between dusk and dawn, the intensity of the illumination of the digital billboard permitted by this consent shall be no greater than 300 cd/m². At all other times, the intensity of the illumination shall be no greater than 500 cd/m².
 - 2) The digital billboard shall display static images only and each advertisement shall be displayed for no fewer than 10 seconds. The interval between successive advertisements shall be no greater than 1 second and the complete display shall change into the next static advertisement.
 - 3) There shall be no display of moving images, animation, video or full motion images, special effects, flashing, scrolling, three-dimensional images, intermittent or video elements. No images that resemble official road traffic signs, traffic lights or traffic matrix signs shall be displayed.

Procedural Matters

2. The Council refers to the emerging Crawley Borough Local Plan 2021 – 2037, which has been published for Regulation 19 consultation. However, I have limited information on the policies contained within this emerging plan and it has very limited weight in determining this appeal.
3. Compared to the previous iteration of the National Planning Policy Framework ("the Framework"), the recently revised version contains no changes of relevance to the substance of this appeal. Therefore, I am satisfied that the parties will not be prejudiced by me not seeking their views on the changes to

the national policy context. All references to the Framework in this decision relate to the revised document.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

5. The appeal site currently accommodates a 48 sheet billboard style advertisement that is sited on the north facing elevation of the building at first floor level. The evidence indicates it has been displayed for at least 10 years and is therefore an established feature of the street scene.
6. The existing advert is predominantly seen when travelling south along the A2004 and when turning right at the junction with Station Way, towards the Town Centre. It would also be visible when turning right out of Station Way to join the southbound A2004. In these views it is seen across the wide section of public highway and against the backdrop of mostly large commercial buildings. These form part of an urban area that is predominantly commercial in character and consists of several substantially sized buildings of different designs and materials, including the nearby shopping centre.
7. Adverts in the area consist primarily of signs affixed to buildings that relate to the businesses that operate from them, including at the shopping centre. Large scale billboard style adverts were absent from the area, except at the appeal site. Nonetheless, the presence of those adverts, together with the large commercial buildings and highway infrastructure, is a strong contributor to the character and appearance of the area, which is essentially an urban place for business, shopping and leisure. Consequently, a modern digital sign would not be unexpected in this location and as a direct replacement to the existing, the proposed display would not add to the visual clutter of advertisements in the area.
8. The proposed display would be expected to be more noticeable than the existing billboard sign, particularly in dull or dark conditions. However, the area is already well lit with streetlights and the brightness of the sign could be controlled to meet the guidance published by the Institute of Lighting Professionals¹ to avoid it becoming overly bright or intrusive. Each advert on the proposed display would be controlled, including to ensure it would be static and displayed for no fewer than 10 seconds. As such, the ability of the proposal to attract attention through rapid imagery changes and visual effects would be adequately controlled to avoid it being unduly conspicuous and dominant in its surroundings.
9. For these reasons, the proposed advertisement would not cause unacceptable harm to visual amenity, consistent with the Crawley Borough Urban Design Supplementary Planning Document, October 2016 ("the SPD"), insofar as it seeks to ensure that adverts avoid harm to visual amenity through, amongst others, avoiding dominating buildings, adding to visual clutter, and introducing illuminated signs where it would be detrimental to the amenity of the area.

¹ Professional Lighting Guide 05: The Brightness of Illuminated Advertisements

10. Consequently, the appeal proposal would be consistent with Policy CH3 of the Crawley Borough Local Plan 2015 – 2030, Adopted December 2015, insofar as it seeks to ensure that developments relate sympathetically to their surroundings. Whilst this policy does not specifically refer to advertisements, its requirements are nonetheless material to the main issue and requires proposals to be compliant with the advice on signs and advertisements in the SPD. For the reasons given above I have found the proposal to be consistent with the SPD in this regard. The proposal would also avoid harm to the quality and character of the area, taking account of cumulative impacts, consistent with Framework Paragraph 141.

Other Matters

11. The Council and the Local Highways Authority have raised no objections on the grounds of public safety. I have no basis on the evidence before me and my experiences at my site visit to reach a contrary view. With suitable controls, I am satisfied that the proposal would not harm public safety.

Conditions

12. Both parties have suggested additional conditions to control the operation of the proposed advertisement display. For the reasons given above, these are necessary with amendments to the wording.

Conclusion

13. Taking all the above into account, the appeal is allowed, and express consent is granted, subject to the conditions set out above.

G Sylvester

INSPECTOR