

Appeal Decision

Site visit made on 2 August 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 16 August 2024

Appeal Ref: APP/W1850/Z/24/3343576

Land at Station Yard, Worcester Road, Leominster, HR6 8TW

- 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 Hintons Country and Garden against the decision of Herefordshire Council.
 - The application Ref is 233748.
 - The advertisement proposed is a new single illuminated LED advertisement display.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is for an illuminated LED advertisement measuring 6m x 3m. The base of the advertisement would be raised 2 metres from the ground.

Main Issues

3. The main issues in this case are the effect of the proposed advertisement on visual amenity; and its effect on public safety.

Reasons

Visual amenity

4. The appeal site is located along Worcester Road on the opposite side to its junction with Clinton Road and in close proximity to that junction. It is located within what currently appears as part of a parking forecourt to the front of brick-built commercial buildings.
 5. It is separated from the road by a low brick wall, a largely grassed verge and a pavement.
 6. The surrounding area is predominantly made up of commercial and industrial uses. These are set within a green, open and spacious setting. Directly opposite the appeal site, to either side of Clinton Road, are large areas of green space incorporating trees and hedges. Along the same side of the road as the appeal site there are grass verges and street trees.
 7. This greenery results in a softening of the area's commercial character and together with the presence of forecourts and parking areas, adds to the area's open and spacious qualities. Further, as one travels along Worcester Road
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towards the appeal site from the south, the presence of greenery appears in keeping with a strong sense of the open countryside to the east.

8. During my site visit, I observed that there are no large raised LED screens, such as that proposed, in the area surrounding the appeal site. Advertisements in the immediate area appear mostly limited to those directly associated with the use of the buildings or sites where they are located and appear generally modest in scale and non-illuminated.
9. The proposed advertisement would be located in a prominent location facing out towards traffic turning out of Clinton Road and travelling north along Worcester Road. It would be raised significantly above the ground and I find that the proposal's imposing height would combine with its prominent location, large size and LED screen to result in it appearing as an obtrusive feature that would dominate its surroundings to an undue extent.
10. In the absence of any other such large LED advertisements in the area, the proposal would appear as a strikingly alien feature, out of character with the identified attributes of its surroundings and in contrast to the appearance of other advertisements in the area. I find that its incongruous appearance would add significantly to the obtrusiveness 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 Herefordshire Local Plan Core Strategy (2015) Policies LD1 and SD1, which together amongst other things, seek to protect local character.

Public safety

12. As set out above, the proposed advertisement would face out towards road users travelling north along Worcester Road and turning out of Clinton Road. During my site visit, I observed this junction to be close to footpaths on both sides of Worcester Road and to a footpath/cycleway leading to a bridge over the nearby railway. I also noted there to be cars parked along Worcester Road directly opposite and close to the junction.
13. Clinton Road itself leads to an industrial/commercial area and Worcester Road provides a connection between Leominster's main commercial area and the railway station and town centre to the north.
14. Taking the above into account, I consider that the proposal would introduce an obtrusive, eye-catching advertisement directly opposite a junction commonly used by vehicles of all types and sizes, in an area where there are likely to be pedestrians and cyclists; and where roadside parking can leave little room in the highway for vehicles travelling in opposite directions to pass safely.
15. Given this, I find that the proposed advertisement would introduce a feature that would draw the attention of road-users in a sensitive location, where any distraction runs the significant risk of placing pedestrians, cyclists and other road-users in danger.
16. Consequently, I find that the proposed advertisement would be detrimental to public safety. It would be contrary to the National Planning Policy Framework and to Herefordshire Local Plan Core Strategy (2015) Policy MT1, which together amongst other things, seek to protect highway safety.

Other Matters

17. In support of its case, the appellant draws my attention to other LED advertisements elsewhere. However, there is no evidence before me to demonstrate that the circumstances related to these other examples are so similar to those of the proposed development as to provide for direct comparison. Notwithstanding this and in any case, I have found that the proposal would be detrimental to public safety and visual amenity and this is not something that is altered or mitigated by the presence of other developments elsewhere.

Conclusion

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

N McGurk

INSPECTOR