



Appeal Decision

Site visit made on 29 October 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2024

Appeal Ref: APP/X3405/Z/24/3350899

78 Market Street, Hednesford, Cannock, Staffordshire WS12 1AG

- 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 Vivid Outdoor Media Solutions (A) Ltd. (Mr Paul Hardy) against the decision of Cannock Chase District Council.
 - The application Ref CH/24/141, dated 13 May 2024, was refused by notice dated 12 July 2024.
 - The advertisement proposed is 1 x 48 sheet gable mounted LED illuminated advertising display panel.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Under the above Regulations, powers to control advertisements are to be exercised in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach, with the Framework adding that cumulative impacts can be taken into account.
3. The Council have not raised public safety as an issue and I have no reason to question that, so therefore it will not be taken into consideration in my deliberations.

Main Issue

4. Based on the above, the main issue in this appeal is the effect of the proposed advertisement display upon the amenity of the site and its surroundings.

Reasons

5. The appeal site is the blank rear elevation to 78 Market Street, which is located some way to the rear of the Market Street properties. The rear elevation is primarily visible from Victoria Street, and this is where the advertisement would be situated in terms of location.
6. The proposed advertisement would, by necessity, be lit continuously to create images. I acknowledge that the brightness of the proposed advertisement could be controlled by condition to reduce impact, predominately in the hours of darkness, but greater illumination is required in daylight to ensure an image can be seen. I accept that advertisements are designed to be intended to be seen, but I find that the bright appearance of the digital screen would make it a

- more prominent part of the street scene. This would be magnified during certain conditions such as overcast days or dawn / dusk.
7. I am aware that the appeal site is in close proximity to commercial premises, but the site is also located in an area that sits between the Market Street and Victoria Street premises and as such in that zone would dominate and overwhelm the immediate locality and harm the amenity of the area.
 8. There is the nearest residential property (Greenslade) in close proximity to the appeal site on Victoria Street, and the change in circumstances from the additional illumination and motion changes from the advertisement would cause material harm to the amenities of that property, specifically from the rear elevation despite the slightly obtuse angle between the proposed advertisement and the residential dwelling.
 9. I have no record of previous advertisements on that appeal site elevation and the proposed digital advertisement display would be significantly more prominent in that location looking toward Greenslade.
 10. I have had regard to the benefits of digital advertising which includes a reduction in vehicle trips to service sites, a reduction in waste from the production of posters, the ability to broadcast emergency messages, and to use the displays during "void periods" for public messaging or public art. However, while I acknowledge these potential benefits, I do not consider that they outweigh the harm which I have found.
 11. As such, whilst it is not determinative, I find conflict with Policy CP3 of the Cannock Chase Local Plan (2014) which expect development, amongst other matters, to be of imaginative design within its context, taking account of the character of the local area, be well-related to existing buildings and protect amenities of existing buildings.
 12. I have also taken into account paragraph 141 of the National Planning Policy Framework which explains that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. For the reasons given above, I conclude that the proposed development would have a detrimental effect on the visual amenity the adjacent property "Greenslade" and the wider area and as such, the proposal conflicts with paragraph 141 of the Framework.

Conclusion

13. The proposal does not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate I should take a different decision other than in accordance with this.
14. For the reasons outlined above, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR