



Appeal Decision

Site visit made on 26 November 2024 by M Long BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th January 2025

Appeal Ref: APP/P0240/Z/24/3351751

**The Coach House, 5 West Street, Leighton Buzzard, Central Bedfordshire
LU7 1DA**

- 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 Simon Hancott (EweMove Leighton Buzzard) against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00960/ADV.
 - The advertisements are 2 x 1500mm x 1500mm signs (Illuminated) on the front elevation of the building 2500mm above ground level and 1 x 2250mm x 1600mm sign (not illuminated) on front boundary wall elevation at ground level.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The advertisements were erected prior to the application being made and were in situ at the time of the appeal site visit. As such, this appeal has been considered on the basis that advertisement consent is being sought retrospectively.
4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) set out that powers under those Regulations shall be exercised only 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. Therefore, while the development plan policies referred to on the Council's decision notice cannot by themselves be decisive, I have taken them into account as a material consideration.

Main Issues

5. The main issues are the effect of the advertisements on amenity and public safety.

Reasons for the Recommendation

Amenity

6. The Planning Practice Guidance (PPG) sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered.
7. The site is in the Leighton Buzzard Conservation Area (CA), where special attention must be paid to the desirability of preserving or enhancing the character or appearance of the area. During my visit, I observed that the CA partly derives significance from the general high quality of its built environment including its variety of attractive historic buildings, many of which have ground floor shopfronts that form the commercial town centre. Advertising in the CA is predominantly characterised by ground floor shop frontages and fascia signs.
8. The wider area includes illuminated and non-illuminated signage in a variety of colours, most of which relates to the primary shopping area on North Street. However, the appeal site is in a mixed-use area to the rear of this, where there are a fewer number of shopfronts and advertisements. The site relates to a building that is set back from the highway by a car park with a front boundary wall. This building has a traditional design at the first-floor and roof levels and its ground floor is used as garages.
9. The Central Bedfordshire Design Guide (2023) encourages high quality design that is mindful of its context and identifies that brash colours, oversized or over-lit signage will make a place feel less welcoming and attractive.
10. Due to the large size of the advertisement on the front boundary wall, together with its bright colour scheme and its position close to ground level and next to the pavement, it is an unduly prominent and garish feature in the street. As advertisements within the CA are generally affixed to buildings or incorporated into shopfront designs, this sign appears particularly discordant.
11. Even though the two advertisements on the host building are set back from the street, their bright colour scheme, large square shape and position covering significant sections of upper floor brickwork competes with the building's traditional architecture including the windows that they sit amongst. As such, these signs relate unsympathetically to the host building, and this would also be noticeable during hours of darkness due to their illuminated nature.
12. Moreover, when viewed together, the advertisements on the building and on the front boundary wall appear cluttered and are unsympathetic to the overriding high quality of the CA's built environment.
13. My attention has been drawn to a number of advertisements along North Street, which have large sizes, methods of illumination and bold colours. While the planning history relating to these advertisements is not before me, these examples mainly relate to ground floor fascia signage which is seen in the context of North Street, a primary shopping area, with a different immediate context to the appeal scheme. Therefore, they do not justify the appeal advertisements which do not relate well to the host building or the immediate street scene.

14. I conclude the advertisements are harmful to the visual amenity of the area and do not preserve or enhance the character or appearance of the CA. I have taken into account Policies HQ1 (High Quality Development) and HE3 (Listed Buildings, Conservation Areas and Built Heritage) of the Central Bedfordshire Local Plan (2021) (LP) which seek to ensure that proposals relate well to the existing local surroundings and, where possible, preserve, sustain and enhance the special character and appearance of heritage assets in terms of scale, form, proportion and design, and so are material in this case. Given my conclusion on this main issue, there is conflict with these Policies. There is additional conflict with the National Planning Policy Framework which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public Safety

15. The site is close to a roundabout and a pedestrian crossing with a traffic island providing a central refuge for pedestrians. During the visit, I observed a steady flow of traffic that was travelling at relatively low speeds as drivers decelerated on their approach to the roundabout and pedestrian crossing or were moving at low speeds having just exited the roundabout.
16. Public safety concerns have been raised with regard to the single, large advertisement on the front boundary wall. Given that it is static, non-illuminated and sits side on to the highway, rather than being angled directly at oncoming traffic, it is not overly distracting within a driver's field of vision on the approach towards the pedestrian crossing and roundabout. Vehicles would also often be decelerating on this approach.
17. For motorists exiting the roundabout, the pedestrian crossing is significantly more prominent in the forefront of their field of vision and so good visibility to ascertain whether a pedestrian needs to cross the carriageway is retained. Although the roundabout itself involves complex highway movements, the advertisement is positioned a sufficient distance away and so avoids having a harmful distracting effect.
18. I conclude the advertisements are acceptable from a public safety perspective. I have taken account of Policy T2 (Highways Safety and Design) of the LP which seeks to ensure proposals must not have a detrimental effect on highway safety and other road users, and so is material in this case. Given my conclusion on this main issue, there is no conflict with this Policy. Nevertheless, the lack of harm identified with regard to public safety does not mitigate the harm identified to the amenity of the area.
19. The Council has cited conflict with Central Bedfordshire's Parking Standards for New Developments: Supplementary Planning Document 2023. However, this document predominantly relates to the provision of cycle and car parking for various developments. Its relevance to the appeal scheme has not been demonstrated, and so this document has not been decisive in my conclusion and recommendation.

Other Matters

20. The Council set out that, as the Highway Authority has not given permission for the erection of the advertisement on the front boundary wall, the proposal does not comply with the standard conditions for advertising as set out in the

Regulations. Given that I have identified harm to amenity and recommend dismissing the appeal on that basis, it has not been necessary to reach a conclusion on this issue.

21. The appellant has outlined the potential detrimental economic effects of removing the advertisements from the site. While I sympathise with these concerns, there is nothing to suggest that signage promoting the business could not be provided through advertisements which are more sympathetic to the visual amenity of the area.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR