



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: 16th January 2025

Appeal Ref: APP/P0240/Z/24/3353136

Land Adjacent to Unit 8, Greaves Way Industrial Estate, Stanbridge Road, Leighton Buzzard LU7 4UB

- 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 Alight Media Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/01817/ADV.
 - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display.
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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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) 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 Issue

4. The Council have concluded that the advertisement would be acceptable in terms of public safety, and from the evidence before me I have no reason to disagree. Therefore, the main issue is the effect of the proposal on the amenity of the area.

Reasons for the Recommendation

5. 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.

6. The site is an area of grassed verge where Greaves Way meets Stanbridge Road. Mature deciduous trees sit along the back edge of the grassed verge. Stanbridge Road is lined by streetlights and existing advertisements are largely contained to a short stretch of this road close to the junctions with the 'Greaves Way' and 'Youngs' industrial estates which are accessed to either side of it. These advertisements mainly promote surrounding businesses and include large static signs affixed to some of the industrial units set back from the highway as well as modestly scaled static boards and semi-opaque flags within the highway verges. The wider area transitions from the industrial estates to residential areas with a suburban character and there are houses within a short distance of the site.
7. The large scale of the digital screen, its elevated position mounted on poles and its angle addressing the highway would give it an overly prominent presence on Stanbridge Road. It would appear very dominant when compared with the other advertisements positioned within the verges to this section of the road.
8. Moreover, even though the luminance level and frequency at which imagery would change could be controlled by a condition, the illumination and changing imagery would also differentiate the advertisement from the generally more subdued local business signage at this location. This would further draw attention to the advertisement and its incongruity in the broader context of the nearby suburban dwellings for passers-by on Stanbridge Road.
9. The appellant has outlined the increasing prevalence of digital displays across the country and has directed my attention to locations in which they were found acceptable. The examples in Leicester and Rotherham¹ relate to appeals in which Planning Inspectors considered the digital screens to be acceptable, in part, due to the presence of extensive vegetation and a backdrop of mature trees that could help to assimilate each proposal. I observed the mature trees which would provide the backdrop to the proposed digital advertisement display. However, at the time of my visit, much of their foliage had been shed and so it does not provide an abundant all year-round green backdrop at the appeal site. Consequently, at times when the planting is not in leaf, the advertisement would appear even more conspicuous.
10. Attention is also directed to a similar digital advertisement display at another industrial estate in Leighton Buzzard, which was consented by the Council. The photographs provided depict an advertisement with a different design incorporating 'vertical meadow green walls' and appears to be located on a road flanked by a more extensive stretch of commercial and industrial development. Therefore, I do not consider that example provides justification for the appeal proposal of a different design and local context.
11. I conclude that the proposal would result in harm to the amenity of the area. I have taken into account Policy HQ1 (High Quality Development) of the Central Bedfordshire Local Plan (2021) insofar as it seeks to ensure the size, scale and appearance of proposals relate well to the existing local surroundings, and so is material in that regard. Given the amenity harm identified, the proposal would not accord with this policy. There would be additional conflict with the National Planning Policy Framework (the Framework) which sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

¹ Appeal Refs APP/W2465/Z/23/3323139 and APP/P4415/Z/20/3252133

12. The Council's decision also refers to the Central Bedfordshire Design Guide 2023. The extract provided does not refer to advertisements. Therefore, this guidance has not been decisive in my conclusion. Even so, this does not diminish the identified harm to the amenity of the area, or the conflict with the development plan and the Framework.

Other Matters

13. I have been made aware of a number of environmental benefits relating to the use of the proposed digital screen rather than traditional paper and paste displays, including reduced energy consumption, fewer maintenance visits, recycled component parts, as well as environmental initiatives undertaken by Alight Media. Nevertheless, and even if the advertisement could be easily removed, these benefits do not justify the harm to amenity whilst it is in situ.
14. I acknowledge that the proposal would result in a number of economic benefits. However, without evidence to the contrary, I consider the benefits from a single display would be modest and do not justify the harm to the amenity of the area.

Conclusion and Recommendation

15. 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

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

M Russell

INSPECTOR