



Appeal Decision

Site visit made on 21 January 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/Y2003/Z/24/3355421

Land at Bessemer Business Park, Warren Road, Scunthorpe DN15 6XH

- 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 Faisal Mahmood, Premier Vue Ltd against the decision of North Lincolnshire Council.
 - The application Ref is PA/2024/848.
 - The advertisement proposed is the installation of freestanding 2 x 48 sheet LED illuminated advertising display panels, measuring 6.4m wide x 3.4m high and comprising pressed metal frames with sealed LED screens.
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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 and Main Issue

3. The application form also states that the displays would be controlled remotely via a dedicated 4G connection and computer software that manages brightness, timing and the transition time between each image. The display would be limited to 300cd/m² at night time (on a full white display) in accordance with the Institute of Lighting Professionals (ILP) best practice guidance; "The Brightness of Illuminated Advertisements PLG05 2015" and up to 5000cd/m² in the day. I have taken this into account, but omitted it above for ease of reference and to identify the scheme as applied for under the regulations.
4. I have taken the cited development plan policies into account as material considerations. However, power to control advertisements may be exercised only in the interests of amenity and public safety and therefore the policies alone have not been decisive. The Council do not have concerns regarding public safety, and I have no reason to disagree. My recommendation thus focuses on the effect of the advertisement on amenity.

Reasons for the Recommendation

5. The appeal site is a large vacant plot of land alongside the B1430 which is a fairly busy route into town. It is the only vacant plot along this stretch of Normanby Road with most others occupied by industrial units or larger commercial stores except for

a housing estate opposite set behind close boarded fencing. There are other advertisements in the area, but they are small scale and positioned on the site they advertise. There is a sense of spaciousness around the site where the closest commercial buildings are set back with courtyards to the front.

6. The proposal would introduce two large advertisements to the front of the appeal site that would be dominant within the street scene. This dominance would be particularly apparent when travelling along the route at night given the limited number of other illuminations in the area combined with the size and positions of the proposed advertisements. Their scale as standalone features would create a towering effect and erode the spaciousness that is currently experienced. Furthermore, two large advertisements in such close proximity to one another in this location would be excessive and they would not therefore be appropriately sited.
7. The advertisements would thus cause harm to the visual amenity of the area. Contrary to the aims of Policies DS1 and DS18 of the North Lincolnshire Local Plan and North Lincolnshire Local Plan 2003 and Policy CS5 of the North Lincolnshire Local Development Framework Core Strategy 2011 as far as they are material to the main issue and concerned with development reflecting its setting amongst other things.

Other Matters

8. The circumstances of each cited example of digital advertising in Scunthorpe appears to be different to the appeal in terms of the landscaping providing a backdrop or the proximity of buildings. They do not therefore sway me from my findings. I am unaware of when, or if the wider site is going to be developed for 21 storage units. I have therefore assessed the appeal scheme in terms of the current context which, in the event the approved scheme does come forward in the not too distant future, would not dramatically change to the extent that it would make the size and siting of the signage acceptable. The advertisements could be subject to conditions relating to luminance and to ensure that they only display static images. However, these would not overcome the harm that would be caused to amenity in regard to the proposals' scale and location.

Conclusion and Recommendation

9. For the reasons given above, I have found that there would be harm to visual amenity. I therefore recommend the appeal is dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

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

John Morrison

INSPECTOR