



Appeal Decision

Site visit made on 11 February 2025

by **P Brennan BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/W3710/Z/24/3353149

Trade Centre UK, Silverstone Drive, Coventry CV6 6PA

- 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 Elonex Trade Centre UK against the decision of Nuneaton and Bedworth Borough Council.
 - The application Ref is 040454.
 - The advertisement proposed is the display of a two-sided digital advertising sign.
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Decision

1. The appeal is allowed, and express consent is granted for the display of a two-sided digital advertising sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The advertisement display shall not change more frequently than every 20 seconds and the interval between advertisements shall be instantaneous.
 - 2) The advertisement display shall only display static images and shall not display any moving images, or apparently moving images; message sequencing; interactive messages; directional signage or images resembling traffic signs.
 - 3) There shall be no special effects (including animation, flashing, scrolling, three dimensional, intermittent, or video elements) of any kind during the time that any message is displayed.
 - 4) The intensity of the illumination of the two-sided digital advertising sign permitted by this consent shall be no greater than 300cd/sqm.
 - 5) In the event of malfunction, the digital advertisement screen shall automatically power off.

Preliminary Matters

2. The application form describes development as “Digital advertising sign for the trade centre (two-sided) measuring 8.4 X 4.2” whereas the appeal form includes reference to freestanding, metres, and internal illumination. However, I have adjusted the description to that as seen in the banner heading above, which I am satisfied adequately describes the proposal and aligns with the Council’s description.

3. I note the intention for the proposed advertisement to be used for the purposes of marketing and signage for the Trade Centre. Nonetheless, as content cannot be controlled, I have considered the proposal as an advertisement not connected to the appeal site.
4. In its report on the application, the Council has referred to development plan policies it considers to be relevant to this appeal. I have taken these into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) confirm this approach. Therefore, while I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal. I have also had regard to the Framework which seeks to prevent the negative impacts of poor advertisements.

Main Issue

5. The Council's reason for refusal relates specifically to matters of amenity. There was no objection raised on the grounds of public safety and based on the evidence before me and my site visit, I find no reason to take a different view on that matter. Accordingly, the main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

6. The appeal site relates to Trade Centre UK, which is a large warehouse within a business park, open to the public, for the purpose of selling used vehicles. The property is located at the junction of the A444 and Silverstone Avenue. The A444 is a 50 mile per hour dual carriageway, with no pedestrian footway, which leads from Junction 3 of the M6 motorway to Coventry Arena and beyond. The appeal site is situated between Junction 3 and Coventry Arena and accessed via a slip road, off the A444. This section of the A444 is characterised by warehouse development partially enclosed by vegetation. The surrounding area is commercial in nature. Other business premises have signage attached to and around the buildings. No other digital displays are located within this stretch of the A444.
7. The advertisement would be displayed in a landscaped area within the appeal site behind and above the boundary fencing, on the corner of the A444 and Silverstone Avenue. Elevated 3m above ground level and with an overall height of 7.4m, it would replace existing signage and a smaller freestanding advertisement. The digital advertisement, designed to display static poster images, capable of changing every 10 seconds and with instantaneous change between them would be illuminated in accordance with the industry guidelines¹.
8. When travelling from the motorway junction, towards the site, the advertisement would be partially screened by landscaping, despite its elevated position, and is only especially evident in local views. Due to its size and siting, the site is visible to a greater extent when travelling from Coventry Arena and beyond as the appeal premises are pronounced in the street scene, and the A444 extends downhill at this point. However, from such views, the advertisement would be framed by the large commercial building and existing landscape screening within its background.

¹ Institute of Lighting Professionals: The Brightness of Illuminated Advertisements – PLG05

9. The site is a corner location within a landscaped area above road level. This makes the siting more prominent, and the area is absent of similar advertisements on this stretch of the A444. However, this does not in itself provide reason for the proposal to cause harm to the amenity of the area. The area has characteristics that are more commercial in nature lending support for large scale advertisements which garners support from the PPG. This acknowledges that large advertisements can be acceptable in industrial or commercial areas of major cities where there are large buildings and main highways.² As such, its scale would not be out of keeping with its surroundings and would have a neutral impact on the character and context of its immediate area.
10. The advertisement would include an intermittent changing of the illuminated display panel. The Council has not raised an issue to this regarding public safety. As such, I consider that the proposal would not significantly draw the eye in a manner that would accentuate its visual prominence.
11. I therefore conclude that the proposal would complement the character and appearance of the area resulting in no harm to the amenity of the area. I have taken into account Policies DS1 and BE3 of the Nuneaton and Bedworth Borough Council Borough Plan 2011-2031 and the Sustainable Design and Construction Supplementary Planning Document 2020. These require, amongst other things, proposals to contribute to local distinctiveness and character by reflecting the positive attributes of the neighbouring area, and so are material, in this case, along with paragraph 141 of the Framework. Given that I have concluded that the proposal would not harm amenity, it does not conflict with these policies.

Conditions

12. The Council has requested further conditions, beyond the 5 standard conditions, which are derived from the Highway Authority's consultation response. The imposition of these is agreed by the appellant in their grounds of appeal.
13. Whilst no objection was raised on the grounds of public safety, it is necessary to impose conditions that control the display. The level of illumination should be limited to prevent glare or dazzle for road users. Furthermore, conditions that would manage the frequency of image change, to deactivate if the screen becomes corrupted and to prevent moving images are also required in the interests of highway safety.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed in the terms set out above.

P Brennan

INSPECTOR

² Paragraph 079 Reference ID: 18b-079-20140306