



Appeal Decision

Site visit made on 17 February 2025

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 03 March 2025

Appeal Ref: APP/F1610/Z/24/3357344

82 Chesterton Lane, Cirencester, Gloucestershire, GL7 1YD

- 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 G Cockerill on behalf of Alight Media Ltd against the decision of Cotswold District Council.
 - The application Ref: 24/03083/ADV, dated 9 October 2024, was refused by notice dated 9 December 2024.
 - The development proposed is 'Installation of 1x48 sheet freestanding LED illuminated advertising display unit, measuring 6.4m in width x 3.4m in height and comprising a pressed metal frame and sealed LED screen'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The display of advertisements is subject to a separate consent process within the planning system, which is set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
3. Therefore, the appeal has been considered with regards to the above and to the relevant policies of the Cotswold District Local Plan 2011-2031, adopted 3 August 2018 (CDLP 2018), insofar as they are relevant to amenity or public safety.

Main Issue

4. The Council does not object to the proposed advertisement on grounds of public safety. Therefore, the main issue for consideration is the effect of the proposals on the amenity of the surrounding area.

Reasons

5. The appeal site lies in a transitional area, with notable areas of housing opposite to the north of Chesterton Lane and with a small commercial/ industrial estate to the south of Chesterton Lane. The much larger scaled Love Lane commercial/retail properties are some distance away.

6. The appeal site is situated within an open triangular grassed area at the north-western corner of the plot occupied by John Stayte Services Ltd. The area is undeveloped and sits outside of a timber boundary fence which is approximately 1.5m in height. As such it has a low-key presence in the street scene.
7. There are existing totem and post signs within 15m of the appeal site, and a further totem adjacent to the access to the estate. However, these are un-illuminated and are relatively discrete in the size and type of signage they display for local businesses.
8. The appeal proposals would introduce a 6.4m x 3.4m internally illuminated LED display unit, mounted on a steel frame approximately 1.35m above ground level, thereby rising significantly above the existing timber fence. The large size and internally illuminated display, with image changes every 10 seconds or so, would have a prominent presence which would be obvious to those travelling in an easterly direction down Chesterton Lane. Furthermore, the mass of the display unit would be visible, together with its blank rear elevation and support frame, from a westerly direction. As a large freestanding structure, it would not be directly read against built form, consequently this would emphasise its assertive presence.
9. The dimensions and siting proposed would result in a considerably larger display than others permitted in the vicinity. In combination with its elevated level, it would appear harmfully disproportionate to the domestic and modest commercial buildings close by. In addition, it would appear cluttered alongside the existing totem and post signs, owing to an accumulation of signage structures in a relatively confined space. This would be to the detriment of the amenity of the area.
10. The appellant has included a visualisation of the proposed display in the context of an easterly view down Chesterton Lane. Although I have some doubts as to its accuracy, it serves to reinforce my concerns that the proposal would be unduly prominent in this transitional but still predominantly residential location.
11. The appellant has suggested conditions could control daytime and night-time illuminance levels emitted by the proposed display, and restricting hours of operation. Whilst this may limit the effect of the display on nearby residents from the illuminance and regularly changing images at night-time, it would not address the visual harm I have identified. The proposed advertisement would therefore be contrary to policy EN2 (Appendix D, paragraph 67.7 a,b,c & i) of the Cotswold District Local Plan 2011-2031, adopted 3 August 2018, which states that signage should be sympathetic and not visually dominant or incongruous. Although not determinative in this case, it reinforces my findings.
12. I therefore conclude that the proposed display, by reason of its size, elevated positioning and proximity to existing signage, would have an unacceptably detrimental effect on the amenity of the surrounding area.

Other Matters

13. The appellant has provided a significant amount of evidence in relation to issues with a previous application for a display hoarding (22/03307/ADV) on the appeal site. I have taken account of that insofar as is relevant to the main issue. Whilst I have no doubt that the procedural concerns raised have been a source of frustration to the appellant, those matters fall outside of the scope of my determination of this appeal.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

D R Kay

INSPECTOR