



Appeal Decision

Site visit made on 18 March 2025

By Terrence Kemmann-Lane JP DipTP FRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2025

Appeal Ref: APP/X3540/Z/24/3348693

Store It Right, 233 Whapload Road, Lowestoft, NR32 1UL

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Alight Media Ltd against the decision of East Suffolk Council.
 - The application Ref is DC/24/1953/ADI.
 - The development proposed is a new single LED illuminated 48-sheet advertisement display, measuring 6.4m wide x 3.4m high and comprising pressed metal frame containing a sealed digital screen.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The Regulations state that applications for express consent are to be determined in the interests of visual amenity and public safety. In this case there is no public safety matter raised. With regard to visual amenity, factors include the presence of any feature of historic, architectural, cultural or similar interest. In this case, the main issue is the effect of the proposed digital display on the character and appearance of the North Lowestoft Conservation Area arising from views along Whapload Road.

Reasons

3. Number 233 Whapload Road is a brick and metal warehouse currently used for B8 storage and distribution, with a concrete hardstanding to the front used as a customer parking area. The front elevation has a mixture of non-illuminated fascia signage and is painted bright blue and yellow.
4. The site is located in the North Lowestoft Conservation Area, and the Historic and High Street Scores Area of the Town, which is afforded protection under policy WLP2.9 of the adopted Waveney Local Plan. Whapload Road has buildings with a mix of architectural styles, ranging from 15th century flint smoke houses, 19th century brick warehouses, and modern 20th century utilitarian industrial units. The uses are mainly industrial in character, comprising B8 and B2 units, some retail and leisure uses, and the Birds Eye Food Processing Plant that is located directly opposite the site to the east. The historic High Street is located further to the west. The area retains a distinctive character relating to the historic fishing industry in Lowestoft.

5. The proposed illuminated digital poster display would be sited at the front of the curtilage, on the southern boundary, of the appeal site. It would face north and measure 6.4m x 3.4m, containing 48 digital LED modules on a steel support structure. The structure, supported on 2 legs, would be alongside the boundary wall of No. 231 Whapload Road. From the jpg photo illustration in Appendix A of the appellant's Statement of Case, the underside of the display would be on a level with the top of the boundary wall.
6. The proposed digital signage would be illuminated to 300 candela per m² and would be formed of lightweight digital LED panels, illuminated internally with the illumination static and not intermittent. The proposed digital signage would present a range of static images, on a 10 second sequence, and is intended to consolidate multi panel sites into a single panel, with the interchange between images being simultaneous. It would not have movement, animation or special effects, and would be capable of carrying public safety notices. It would be switched off between the hours of midnight and 05.00 hours.
7. The site is on the eastern boundary of the conservation area, where there is not the same preponderance of historic buildings as in some parts of the area. Nevertheless, the position of the boundary of the area will have been fully justified when the extent of the conservation area was determined (amended by enlargement in 2021). The location No. 233 Whapload Road contains some nearby positive unlisted (locally listed) historic former warehouses, including No.231, next to the site, as already mentioned in paragraph 5 above.
8. The appellant rightly draws attention to the Planning Practice Guidance (PPG), insofar as the site is located in a predominantly commercial area, wherein advertisements such as that proposed here will often be appropriate. That is a general point and does not of itself support a proposal for a large scale advertisement panel in a conservation area. In such a location a careful consideration of the effect on the character or appearance of the area is necessary.
9. Having consider all the arguments put forward, including the examples of similar advertisements permitted elsewhere, including within the council's administrative area, I conclude that the particular circumstances of the appeal site and its surroundings, its inclusion in the North Lowestoft Conservation area, its placing on the boundary of No.231 that express advertisement should not be given. In spite of the car parking at the front of the appeal site and its neighbours, the display, towering above the boundary wall, would be highly visible and prominent in views looking south along Whapload Road. Furthermore, it would obstruct the view of the adjoining 19th century warehousing at No.231 which helps form the distinctive character of the area.
10. I understand that the council seeks to reverse inappropriate modern alterations which are unsympathetic to the historic character of the area, and to remove the North Lowestoft Conservation Area from the Heritage at Risk Register. Contrary to this aim, the appeal proposal would fail to preserve or enhance the character and appearance of the conservation area. For these reasons the proposed advertisement display would be contrary to policies WLP8.29, WLP8.39 and WLP2.9 of the Adopted Waveney Local Plan (2019), paragraph 141 of the NPPF (2024), and Regulation 3 of the Town and Country Planning (Control of Advertisement) England (Regulations) 2007.

11. For these reasons the appeal will be dismissed.

Terrence Kemmann-Lane

INSPECTOR