



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/U2615/Z/24/3348886

Car park to the south-west of junction at Howard Street South and Stonecutters Way, Great Yarmouth NR30 1LN

- 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 Mr M Swindles, Global Outdoor Advertising against the decision of Great Yarmouth Borough Council.
 - The application Ref is 06/24/0174/A.
 - The development proposed is the continued display of 5no. illuminated 48-sheet advertisement billboards, as retention of that approved under advertisement consent 06/19/0134/A
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Decision

1. The appeal is dismissed.

Main Issue

2. My consideration of this case is confined to the issues of amenity and public safety. With regard to the latter, the highway authority raised no objection to the appeal proposal on the basis that it would not be detrimental to highway safety. Thus the issue in this case is one of amenity: whether the continued display of the advertisements would preserve or enhance the character of the Conservation Area and the historic environment, including the settings of listed buildings.

Reasons

3. The appeal site is a car park on the southwest side of the junction of Howard Street South and Stonecutters Way. The car park is separated from the road by a close boarded timber fence approximately 2.5m high. There are 5 existing billboard adverts, 6.4m in width and 3.3m in height that are located 1m off the ground, attached to the boundary fencing. I am told that the billboards have been subject to several temporary advertisements consents since 1999. I note that the 2.5m-tall fencing was accepted as part of planning permission 06/13/0204/F.
4. The site is located within the No.3 Hall Quay/South Quay Conservation Area. The site is also located in close proximity to a number of Grade II listed buildings: 43 Market Row, and Nos.2, 3, 76 and 77 Howard Street South, and therefore I have to have special regard to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest which they possess.
5. The principal policy for assessing advertisement applications within the Borough is policy A3 from the adopted Local Plan Part 2. This states: "*In assessing advertisement proposals in terms of amenity, regard will be given to the local*

characteristics of the neighbourhood in terms of potential impact upon the scenic, historic, architectural, landscape or cultural settings, and whether it is in scale and in keeping with these features”.

6. In addition the site is located within the defined Town Centre area where Policy GY1 of the Local Plan applies. This policy seeks to support the regeneration and improvement of the town centre including criterion H which seeks the improvement of the quality of the townscape. Policy E5: ‘Historic environment and heritage’ is also of relevance, stating that replacement buildings, or any new use of the site, should preserve or enhance the character of the area and the significance of heritage assets.
7. There is no doubt in my mind that the presence of the advertisement displays, due to their size and prominence, have a harmful effect on the character and appearance of the conservation area and on the settings of the listed buildings. Their illumination adds to the harmful effect.
8. As mentioned in the appellant’s statement, Howard Street car park and the advertisement panels are both specifically addressed in the Hall Quay Planning Brief. Item 5.2 that states the ‘Existing car parking to the rear of Hall Quay should be generally retained to provide parking for businesses, residents and tenants’; item 5.3 supports the idea of four storey development on the site with retained parking; and item 5.4 states the ‘Hoarding at the corner of Stonecutters Way and Howard Street South should be replaced or enhanced with more appropriate forms of enclosure (in the absence of new development) and softened with tree planting’. To me this is a clear statement seeking replacement of the hoardings with more appropriate enclosure in the absence of new development, although the appellant states that this should not necessarily be interpreted as removal.
9. The principal points made in support of the appeal relate to viability issues. I have no doubt that generally viability of development remains an issue. Great Yarmouth Town Centre may well be struggling, like many others, but I did see signs of regeneration during my site visit. Removal of the hoardings would result in a loss of a small income. The panels have recently been rebuilt, expenditure that in general should not be wasted. But these matters are not overriding. My expectation is that removal of the hoardings, and the fencing if that followed, might well encourage greater use of the car park. I saw that the boundary of the car park on the other corner is only marked by posts.
10. Other public benefits are that the advertisement might promote trade, perhaps in local businesses, and the income from the hoardings could contribute to the maintenance of the car park, which is desirable in view of its surroundings. But these do not amount to much in the planning balance.
11. The appellant does offer to remove the illumination of the panels, but that would not remove the most damaging features which are the hoardings themselves. Nor would the suggested fresh painting scheme, that would more effectively integrate the panels with the fence, overcome the harm.

Conclusion

12. The retention of the 5 no. illuminated 48-sheet advertisement billboards, due to their size and prominence, would have a harmful effect on the character and appearance of the conservation area and on the settings of the listed buildings. For

these reasons, I consider that the appeal development is damaging to the amenity of the locality and the character and appearance of No.3 Hall Quay/South Quay Conservation Area and the locally listed heritage assets. Their retention would be contrary to Policies A3 and E5. This amounts to 'less than substantial' harm that is significant. I find that there are no public benefits which would outweigh this harm. Therefore, I will dismiss the appeal.

Terrence Kemmann-Lane

INSPECTOR