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## Appeal Decision

Site visit made on 28 March 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

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**Appeal Ref: APP/F2605/Z/24/3356289**

**Land at Gladwin House, South Green, Dereham NR19 1GH**

- 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 Alight Media against the decision of Breckland Council.
  - The application Ref is 3PL/2024/0689/A.
  - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

### Main Issue

3. The main issue is the effect of the advertisement on the amenity of the area.

### Reasons

4. The appeal site relates to land sited adjacent to a car park which serves a hair and beauty salon. The car park is located to the front of the building, positioned behind low level railings, and is accessed off South Green (the A1075). A close board fence is positioned along the side boundary of the car park, beyond which is Toftmead Close. Toftmead Close includes a row of terraced properties positioned perpendicular to the A1075. The rear elevation of these properties provides a built backdrop to the car park. On the far side of Toftmead Close is the A47, which passes over the A1075, and is flanked by a well vegetated embankment.
5. Existing signage at the site includes small fascia signs on the building, flag signs positioned along the front boundary and a number of banners on the railings and fence. There are a small number of commercial units scattered along the A1075, while a large industrial estate is near to the site on Rash's Green. Notwithstanding other uses in the area, the character of the A1075 is predominantly one of residential. Therefore, the immediate visual context of the site is not heavily influenced by commercial signage and, where they do exist, these are relatively low key, unassuming, or discrete.

6. The appeal relates to the erection of a digital advertisement display. The advert would be sited towards the front of the car park, and adjacent to the side boundary. The display would be approximately 6m wide and 3m high and would be mounted on poles. The mounted display would be elevated above the height of the adjacent close board fence boundary.
7. The position, height and scale of the advert would mean that it would be highly visible when approaching along the A1075 towards the A47. The parameters of the sign would be significantly greater than other signage in the area, while the digital and illuminated nature of the sign would add to its prominence. While there are some commercial uses in the area, including on the site itself, any adverts associated with these are appropriate in scale and nature. Therefore, they appear harmonious within their context. The scale and nature of proposed advert would appear at significantly odds with these existing advertisements resulting in a visual dominant and incongruous addition within the street. Furthermore, the display would be viewed against the backdrop of the terraced dwellings on Toftmead Close. The scale and appearance of the display would appear discordant with this backdrop, markedly contrasting with the existing residential character. Therefore, the display would fail to appropriately assimilate into its predominantly residential context.
8. The display would be positioned close to the rear windows and private garden of No.1 Toftmead Close. From this property the adverts of the digital display itself would not be visible. However, the rear of the display would be. This would project significantly above the boundary fence and at a very close proximity. Existing trees would, to some extent, help to screen the rear of the sign when they are in full leaf. However, when the trees are not in leaf the scale of the sign would be dominant in views from within the dwelling and also its garden space. As such, the sign would be prominent and visually overbearing from No.1 Toftmead Close.
9. The appellants have identified a number of non-residential uses within the wider area. However, the majority of these are not within the visual context of the appeal site. I acknowledge that the A1075 is heavily trafficked and that this results in a high level of activity in the area. In addition, vehicular movements from the A47 are also apparent. I also note the level of street lighting in the area. Nonetheless, I find that the character of the area to be one of predominantly residential and, for the reasons that I have identified, the advert would appear wholly out of context with its surroundings. Therefore, I do not find these factors to be so persuasive to lead me to a different conclusion.
10. Various conditions have been suggested by the appellant including complying with best practice luminance; the frequency and timing of image changes; prohibiting special effects; malfunction controls; and, turning the display off between midnight and 5am. However, such controls would not be sufficient to mitigate the harm to visual amenity that I have identified.
11. For the above reasons, I conclude that, in its context, the scale, siting and nature of the proposed advertisement would cause harm to visual amenity.
12. I have taken into account the provisions of the development plan so far as they are relevant to visual amenity. Policy EC08 of the Breckland Local Plan (2023) (the LP) requires that advertisements should be sensitively designed having regard to the general characteristics of the area, while size, scale and means of illumination

should also be appropriate. In addition, policies COM01 and GEN02 of the LP both promote high quality design in the District. As the advertisement would be harmful to visual amenity, it would not accord with the policies of the LP or the Framework.

**Conclusion**

13. For the reasons given above the appeal should be dismissed.

*D Cleary*

INSPECTOR