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## Appeal Decision

Site visit made on 25 June 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

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**Appeal Ref: APP/Y2003/Z/25/3364783**

**Hinchliffe Hydraulics, East Common Lane, Scunthorpe, DN16 1AZ**

- 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 Benjamin Porte, Clear Channel UK against the decision of North Lincolnshire Council.
  - The application Ref is PA/2025/189.
  - The advertisement proposed is 2 no. internally illuminated 48 sheet D-Poster.
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### Decision

1. The appeal is allowed and express consent is granted for the display of 2 no. internally illuminated 48 sheet D-Poster at Hinchliffe Hydraulics, East Common Lane, Scunthorpe, DN16 1AZ in accordance with the terms of the application, Ref PA/2025/189, dated 12 February 2025. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions: -
  - 1) The luminance intensity of the advertisements shall not exceed 2500 cd/m<sup>2</sup> during daylight hours (sunrise to sunset) and shall be no greater than 300cd/m<sup>2</sup> during the night-time (sunset to sunrise). The advertisement shall be fitted at all times with a dimmer control mechanism and a photo-cell to monitor ambient light conditions and adjust brightness levels automatically.
  - 2) Images displayed on the approved advertisement shall not change more frequently than once every 10 seconds. The interval between successive displays shall be instantaneous (0.1 seconds or less).
  - 3) Advertisements shall be a series of static images, which shall not feature any flashing, moving or apparently moving images.
  - 4) The advertisements shall be switched off between the hours of 00.00 and 05.00.

### Main Issue

2. The main issue is the effect of the proposal on the amenity of the area.

### Reasons

3. The appeal site is within the boundary of Hinchliffe Hydraulics, which is located within a commercial/industrial area that is served by East Common Road and Brigg Road. Commercial advertising is common in the area (including similar displays to the appeal proposal on Brigg Road).

4. The proposal is to erect 2 no. internally illuminated displays which would front Brigg Road. Although there would be 2 signs, they would appear as one 'v' shaped structure. Each display would measure 6m x 3m. They would display static images that would be displayed on rotation and include measures to control the intensity of illumination and the timing of the image changes.
5. The Council considers that the proposal would be out of character and would have an adverse impact on the character of the area, due to the display's size, location, and appearance. It refers to a conflict with Policies DS1 and DS18 of the North Lincolnshire Local Plan and with Policy CS5 of its Core Strategy. These policies are not determinative, as proposals for Advertisement Consent are determined solely in relation to amenity and public safety. Nevertheless, the policies assist in understanding the Council's reasoning.
6. I acknowledge that the proposed display would be prominent in the streetscene. However, it would be viewed in the context of its commercial/industrial location and the existence of other advertisements in the locality. In my opinion, these types of locations are appropriate and entirely suitable for such proposals and I am not persuaded that the impact on the visual amenities of the area would be unacceptably harmful. I also note that there are no objections to the proposal on grounds of public safety.

#### **Conditions**

7. The appellant has suggested four conditions in addition to the standard conditions should the appeal be allowed. These four conditions would control the intensity of illumination and the image displays. I consider these to be reasonable and necessary and I have imposed them in my decision.

#### **Conclusion**

8. For the reasons given above, the appeal is allowed.

*Ian McHugh*

INSPECTOR