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## Appeal Decision

Site visit made on 5 November 2025

**by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB**

an Inspector appointed by the Secretary of State

**Decision date: 12<sup>th</sup> November 2025**

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**Appeal Ref: APP/Z1510/Z/25/3363153**

**Land adjacent 60 Chapel Hill, Braintree CM7 3QU**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (2007 Regulations) against a refusal to grant express consent.
- The appeal is made by Mr Benjamin Porte of Clear Channel UK against the decision of Braintree District Council.
- The application Ref is 25/00109/ADV.
- The advertisement proposed is installation of internally illuminated 48-sheet D-Poster advertisement.

### Decision

1. The appeal is allowed and express consent is granted for the installation of internally illuminated 48-sheet D-Poster advertisement at Land adjacent 60 Chapel Hill, Braintree CM7 3QU in accordance with the terms of the application, Ref 25/00109/ADV, dated 20 January 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 intensity of the illumination of the advertisement permitted by this consent shall be no greater than 2500 cd/m<sup>2</sup> during daylight hours (sunrise to sunset) and shall be no greater than 300 cd/m<sup>2</sup> during the night-time (sunset to sunrise). The advertisement shall be fitted 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 of any kind.
  - 4) The advertisements shall be switched off between the hours of 2300 and 0600.

### Preliminary Matter

2. In the interests of certainty, I have taken the address from the application form in the banner and decision above. I have also taken the description of development from the application form, omitting wording that are not acts of development.

### Main Issue

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

## Reasons

4. The site lies adjacent to a large roundabout that has a number of commercial and industrial buildings at the junctions with each exit. The buildings are generally around one and two storeys high and have large signage attached to the facades. Accordingly, the area has a commercial character and appearance.
5. The proposal would introduce a stand-alone internally illuminated advertisement to a grassed verge at a junction where there is a tall fence set back from the road with a single storey industrial style building behind. Given its height and width, and prominent position, the proposed advertisement would be highly visible to pedestrians and motorists. However, given its functional design, the proposal would be in keeping with the commercial character of the surrounding buildings.
6. There are not many stand-alone signs in the vicinity of the appeal site, and advertisements in the area are mostly attached to existing buildings. However, the proposal would be seen against the backdrop of industrial-style buildings with large signs that are generally set close to the back of the pavement. The intermittent changing of the illuminated display could be controlled via a suitably worded condition such that it would not appear overly prominent. Moreover, the display's brightness, operating hours and the restriction of moving images could be controlled by suitably worded conditions such that the illumination would not appear unduly prominent. Therefore, while the sign would be highly visible, it would not appear out of keeping with the character of the area.
7. Consequently, the proposal would not harm the amenity of the area. Therefore, it would not conflict with Policy LPP52 of The Braintree District Local Plan 2013-2033 Adopted July 2022 which seeks, among other things, development that is in harmony with the character and appearance of the surrounding area.

## Other Matter

8. The Council has not raised concerns regarding public safety. From the evidence before I see no reason to disagree.

## Conditions

9. The Appellant has proposed a number of conditions to mitigate the effect of the illumination of the display. These relate to the luminance intensity of the advertisement, frequency of the change in images, restriction of the advertisements to static images and hours of operation. The conditions are necessary to safeguard the character and appearance of the area.

## Conclusion

10. For the reasons outlined above, the appeal is allowed.

*R.Sabu*

INSPECTOR