
Appeal Decision

Site visit made on 8 August 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23rd August 2023

Appeal Ref: APP/C3430/Z/23/3316570
66 Stafford Road, Huntington WS12 4PE

- 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 Clear Channel against the decision of South Staffordshire District Council.
 - The application Ref 22/01012/ADV, dated 26 October 2022, was refused by notice dated 19 December 2022.
 - The advertisement proposed is a single illuminated 48 sheet digital poster display.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The name of the appellant is given as Mr Benjamin Porte of Clear Channel UK on the planning appeal form, whereas the name appearing on the application form lodged with the Council is Clear Channel. As the right of appeal rests solely with the original applicant, I have proceeded on the basis that Clear Channel is the appellant in this case.

Main issue

3. The main issue is the effect of the proposed advertisement on the amenity of the local area, which includes the setting of a listed building.

Reasons

4. The proposal is an internally illuminated digital display on the upper gable wall of the appeal property, which is an end terrace building that addresses Stafford Road within the village of Huntington. In this position, the proposal would face towards the roundabout junction of Stafford Road, Cocksparrow Lane and Limepit Lane. For brevity, I shall refer to this junction as the roundabout.
5. The area to which the site belongs is mixed in character with housing, a public house, a car park, school, and a hotel all close to the site. Although the local area contains some commercial advertisements and it is well lit, I saw very few examples of display units that would be similar in scale and type to the proposal nor have any examples been drawn to my attention. Notwithstanding its urban roadside context, the appeal scheme, due to its scale, illumination, frequently changing display and elevated position would introduce an overly dominant and incongruous feature into a highly prominent location to the detriment of area's amenity.

6. That impression would be evident particularly from two vantage points. Firstly, when seen from Stafford Road on the northbound approach to the site, the new advertisement would be a substantial feature in the street scene due to its size and high-level position. Its illumination and changing display would cause the new display to be obtrusive, projecting above the commercial frontage of the public house opposite, roadside signs and alongside street lighting columns.
7. Secondly, the proposal would be visible from the main entrance to the Littleton Green Community School and the pedestrian crossing of Cocksparrow Lane leading to its reception. From this location, the frequently changing and illuminated display would be highly conspicuous given that some views would be almost direct and from a reasonably close range.
8. The site is not within a conservation area although The Barns is a Grade II listed building that is located to the west of the site. The listed building description refers to this property as Huntington Farmhouse. Accordingly, I have paid special attention to the desirability of preserving the listed building or its setting¹. In views from Limepit Lane on the immediate approach to the roundabout, the proposal would be evident together with the side elevation of The Barns some distance beyond the intervening car park, vegetation and the signs associated with the roundabout. When seen from this location, the new display would visually compete with, and thus detract from, the setting of this designated heritage asset.
9. The harm caused by the proposal would be localised and so the effect on the setting of The Barns would be less than substantial. In those circumstances, the National Planning Policy Framework (the Framework) notes that the harm should be weighed against the public benefits of the scheme. No such benefits have been put forward and none would outweigh the identified harm. On the main issue, I therefore conclude that the proposal would be detrimental to the interests of amenity, including the setting of a listed building.
10. In reaching this conclusion, I have had regard to the conditions suggested by the appellant including those to control the images shown and the brightness of the new display and noted that the advertisement would not operate between midnight and 0500 hours. However, these conditions would not overcome my concerns regarding the visual prominence of the proposal and the changing display that would draw the eye outside of these hours.
11. The main parties have referred to various planning policies and to the Framework. The Regulations to control advertisements require that decisions be made only in the interests of amenity and public safety, taking account of cumulative impacts. As such, the planning policies cited cannot, therefore, be decisive, but I have taken them into account as a material consideration.
12. The Council raises no issue in relation to public safety although the Parish Council states that the proposal would be a distraction to highway users and therefore a safety hazard. However, the County Highways Officer raises no objection and I have no reason to disagree with that finding. Nevertheless, for the reasons given I conclude that the appeal should be dismissed.

Gary Deane INSPECTOR

¹ As required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.