



Appeal Decision

Site visit made on 25 June 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2024

Appeal Ref: APP/B3438/Z/24/3341761

Land at Leek Hockey Club, Macclesfield Road, Leek ST13 8LD

- 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 Vivid Outdoor Media Solutions (B) Limited (Mr Warren Milroy) against the decision of Staffordshire Moorlands District Council.
 - The application Ref SMD/2023/0581, dated 22 November 2023, was refused by notice dated 8 February 2024.
 - The advertisement proposed is the erection and display of a single freestanding 6 x 3 metre LED display unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Under the above Regulations powers to control advertisements are to be exercised in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG) reiterate this approach, with the Framework adding that cumulative impacts can be taken into account.
3. The Council have not raised public safety as an issue and I have no reason to question that, so therefore it will not be taken into consideration in my deliberations.

Main Issue

4. The main issue is the effect of the proposed advertisement display upon the amenity of the site and its surroundings.

Reasons

5. The appeal site is adjacent to Macclesfield Road and Leek Hockey Club and sits behind a low stone wall that forms the boundary. The sign would be located adjacent the Hockey Club entrance and a row of terraced properties sits the other side, where I understand a previous paper sign was erected on the gable of the end property. Beyond that the area becomes commercial in nature.
6. The proposed digital display would, of necessity, emit light continuously to create an image. While I acknowledge that the luminance of the proposed advertisement could be controlled by a condition which would reduce its impact particularly during the hours of darkness, greater illumination would be required during the day in order to ensure that the image produced could be

seen. I accept of course that advertisements are, by their nature, designed and intended to be seen. However, the bright appearance of the proposed digital screen would in my view make it a more prominent part of the street scene, and much more visually intrusive than the hoarding previously adjacent the site. This would be particularly apparent in low light conditions such as during overcast days or at dawn and dusk. The continuous illumination would also emphasise the large scale of the display; as a consequence it would dominate and overwhelm the immediate locality, and harm the character of the area.

7. Although the proposed digital unit would be approximately the same size as the previous hoarding, the illumination arising from the digital display would make it a much more prominent feature in the street scene. On this basis I do not consider that it can be considered to be a "like-for-like" replacement for the existing advertisement. There would be particular harm, which would not have arisen from the previous installation.
8. As stated above, I note previous adverts have been placed adjacent the site, digital advertising displays are prominent, modern advertisements that would be located at this site would be more visually prominent than the previous paper and paste advertisement.
9. The digital advertising display would form a rather intrusive and incongruous feature within this particular location and would jar with the visual setting of the locality. The proposal would cause significant harm to the visual amenity of the area.
10. I have had regard to the benefits of digital advertising which includes a reduction in vehicle trips to service sites, a reduction in waste from the production of posters, the ability to broadcast emergency messages, and to use the displays during "void periods" for public messaging or public art. However, while I acknowledge these potential benefits, I do not consider that they outweigh the harm which I have found.
11. As such, whilst it is not determinative, I find conflict with Policy DC1 of the Staffordshire Moorlands Local Plan (2020) which expects development, amongst other matters, to be well designed and of high quality, contributing to local distinctiveness and sense of place.
12. I have also taken into account paragraph 141 of the National Planning Policy Framework which explains that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. For the reasons given above, I conclude that the proposed development would have a detrimental effect on the visual amenity of the area and as such, the proposal conflicts with paragraph 141 of the Framework.

Conclusion

13. The proposal does not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate I should take a different decision other than in accordance with this.
14. For the reasons outlined above, I conclude the appeal should be dismissed.

Paul Cooper INSPECTOR