



Appeal Decision

Site visit made on 18 May 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th June 2020

Appeal Ref: APP/J4525/Z/20/3245097

Wearmouth Cricket Club, Thompson Road, Sunderland SR5 2SD

- 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 UK against the decision of Sunderland City Council.
 - The application Ref 19/02055/ADV, dated 5 December 2019, was refused by notice dated 15 January 2020.
 - The advertisement proposed is described as removal of existing 48 sheet advert and replacement upgraded digital poster.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In January 2020, the Council adopted the Sunderland City Council Core Strategy and Development Plan 2015- 2033 (CSDP). The Core Strategy deletes policies within the Unitary Development Plan 1998 (UDP); including policy B21 which formed the original policy basis for the refusal of planning permission. The Core Strategy replacement policy, BH4, has been submitted as part of this appeal and the appellant has had the opportunity to comment. I have therefore determined the appeal on this basis.

Main Issue

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

Reasons

Site and proposal

4. The appeal site relates to a length of the shared boundary between a cricket club and a petrol filling station. It is located within a residential suburb of Sunderland City Centre on a tree lined stretch of road that has a mix of uses including, retail, leisure and residential. There is a cricket ground immediately to the north of the appeal site and a large park on the southern side of the road which afford this particular portion of the Thompson Road with a spacious verdant character.

5. There is an existing 'paper and paste' poster advertisement at the south-west corner of the cricket club which faces westward across the forecourt of the petrol filling station and along Thompson Road.
6. It is proposed to replace the existing advertisement with a lightweight digital advertisement that would display multiple static advertisements on a rotation. According to the information submitted as part of this appeal, the proposed level of illumination during the hours of darkness would be restricted to 300cd/m² and always be within the guidelines as set by the Institute of Lighting Professionals (ILP) Technical Note 5. The location, size and orientation of the advertisement would remain as existing.

Amenity

7. The Council's concern relates primarily to the effect of the advertisement upon the amenity of the area in the context that they consider the proposal would introduce a commercial element into what is considered to be a green thoroughfare, linking the residential suburb of Southwick to the City Centre, roughly 1 mile to the south.
8. I acknowledge that there is already a 48 page advertisement at the appeal site and it is viewed in the immediate context of the forecourt of a petrol filling station. Nevertheless, the character of the area is predominantly residential, and the appeal site is located in a particularly verdant part of Thompson Road, against a backdrop of trees and adjacent to an open green area associated with the cricket club to the north and a public park to the south.
9. The proposed advertisement would sit perpendicular to the road and set back against a backdrop of trees. It would be fully visible when approaching the petrol station from the west and from a several angles to the south of the site although I appreciate that views from the east and north would be largely obscured by the trees.
10. I note the appellant's submissions that there are other illuminated displays within the vicinity of the site. However, I saw during my site visit that the existing displays relate to the signage associated with the petrol filling station and a nearby supermarket rather than advertisements. There are no other adverts in the immediate locality which display moving images and this design consistency is a positive element in the context of the suburban location.
11. I consider that the illuminated, frequently changing images displayed on the appeal proposal would be incongruous when viewed against the verdant backdrop of the adjacent open spaces and would be at odds with the generally subdued character of the wider residential area. As such, the proposal would appear as a prominent, inharmonious and visually intrusive feature in the street scene thus, causing harm to the amenity of the area. I therefore conclude that the proposed advertisement would fail to accord with the amenity aims of Policy BH4 of the CSDP.

Conclusion

12. I have had regard to the benefits of the proposal in terms of the potential for increased business rates and the ability to display non-commercial advertising and emergency messaging. However, these matters do not outweigh the harm I have identified.

13. For the reasons outlined above, and taking into account all other matters raised, I conclude the appeal should be dismissed.

J Hunter

INSPECTOR