



Appeal Decision

Site visit made on 1 December 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv AssocRTPI

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/J4525/Z/20/3262078

1-3 Benedict Road, Sunderland SR6 0NX

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) 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 20/01261/ADV, dated 6 July 2020, was refused by notice dated 15 September 2020.
 - The advertisement proposed is an upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the advertisement on the visual amenity of the area.

Reasons for the Recommendation

4. Amenity is not defined within the Regulations nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed advertisement would be in scale and keeping with important features.
5. There is an existing timber hoarding with a 48 sheet paper poster billboard advertisement on the side elevation wall of 1-3 Benedict Road. It has no internal or external illumination. The surrounding area is predominantly residential, although the ground floors of the host properties are used for commercial purposes.
6. The distinctive character of the area is primarily derived from rows of terraced properties. However, The Harbour View which is directly opposite is a pub with large areas of glass and aluminium cladding, giving it a more contemporary appearance. Despite the existence of these commercial uses in the area, digital illuminated advertisements are not a prevalent feature. Advertisements on

shopfronts are generally of a modest scale. The existing large non-illuminated poster display on the gable end of the appeal property is the only one in the area.

7. The appellant suggests that only static images (i.e. no moving images or flashing lights) will be displayed, but the advertisements will be capable of changing to display new adverts every ten seconds. By virtue of the sequential format of displaying advertisements, with changing advertisements every 10 seconds or so, the proposed upgrade digital display panel would appear more prominent than the existing non-illuminated 48-sheet paper poster billboard.
8. The changing display would draw the eye to a much greater degree, and it would have a much more overtly commercial feel. This would appear incongruous in the context of the predominantly residential area which is devoid of digital advertisement displays. The sequential format, with changing images every 10 seconds or so, would make it more prominent and accentuate its impact on the street scene.
9. In addition, whilst the area may be well lit, and the intensity of the panel's illumination would accord with guidelines for illumination of advertisements¹, the proposal's illumination would be particularly prominent during the hours of darkness. The appellant further contends that night-time illumination would not exceed 300 candela per square metre. However, the presence of a 48-sheet illuminated digital advertisement panel which is on the wall would introduce a more commercial element to this locality. It also would pay little regard to its semi-residential quality. At almost 3.65 metres above ground level, it would be quite noticeable from different points in the surrounding area.
10. While I acknowledge the appellant's argument that the advertisement would not be viewed from much of the surrounding residential areas, but rather predominately only visible on the A183, Harbour View, this would not eliminate the harm which I have identified above.
11. The appellant's suggested condition which would require the signage to be turned off between the hours of 00:00 hours and 05:00 hours is acknowledged; however, this would not minimise the effect of the proposal in the hours which it is operational.
12. I conclude, therefore, that the advertisement would have a harmful effect on the visual amenity of the area. Whilst not decisive, the proposal would not meet with the objectives of the National Planning Policy Framework and Policy BH4 of Sunderland City Council's Core Strategy and Development Plan 2015 - 2033 (2020). This policy seeks to ensure that development for advertisements are well designed and sympathetic to the character and appearance of their location and the building to which they relate having regard to matters such as the effect on the amenity of the surrounding area including in terms of illumination.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

¹ PLG 05: The Brightness of Illuminated Advertisements (Institute of Lighting Professionals 2015)

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

K Taylor

INSPECTOR