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# Appeal Decision

Site visit made on 1 February 2022

**by C Megginson**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> February 2022**

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**Appeal Ref: APP/H0724/Z/21/3286698**

**Hartlepool Rovers Quoit Sports And Social Club And Premises, Easington Road, Hartlepool, TS24 8JZ**

- 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 Alight Media against the decision of Hartlepool Borough Council.
  - The application Ref H/2021/0394, dated 17 August 2021, was refused by notice dated 5 November 2021.
  - The advertisement proposed is a new single illuminated 48-sheet digital advertisement display.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The effect of the appeal proposal on the visual amenity of the area.

## Reasons

3. The appeal site is a corner plot of open land located on Easington Road, to the west of a roundabout between Easington Road, Winterbottom Avenue, Powlett Road and Raby Road. The appeal site lies to the east of the Sports and Social Club building. To the west is St Thomas More Church, with residential dwellings beyond and to the north is a small commercial building and the Richardson and Westgarth Sport and Social Club. Beyond the main highway of Winterbottom Avenue to the east is Oakway industrial estate and to the south of the appeal site is a residential area. A small commercial development with car parking to the front, is located across the roundabout to the south east from the appeal site.
4. In terms of the character of the area, whilst it contains commercial and industrial elements, it is largely residential in nature. The wide road and lawned roundabout allow the appeal site to be visible from some distance, particularly when travelling from east to west along Powlett Road. The appeal site is surrounded by a dense low hedge, with shrubs and trees along the site boundary adjoining Winterbottom Avenue.

5. The proposal is for a single illuminated 48-sheet digital display, situated on the south-east corner of the site and facing onto the roundabout towards Powlett Road. The base of the display would be 2.5 metres from the ground and the sign itself would be 3 metres high by 6 metres wide.
6. I recognise that the appeal proposal is located on a busy, well-lit road and in an area with some mixed uses, as identified above. I also recognise that the area is not subject to a Conservation Area designation and does not contain any listed buildings. However, the scale of the proposal when combined with the illuminated, frequently changing commercial images displayed on the appeal proposal would be incongruous when seen against the backdrop of the social club and the fairly extensive green space, hedge and trees on the site and would be at odds with the residential character of the surrounding area. As such the appeal proposal would appear as a prominent, inharmonious and visually intrusive feature in the street scene.
7. There is disagreement between the parties over whether the proposal would adversely affect some of the trees which would form a backdrop to the proposal. However, even if there were no impact on trees as part of the appeal proposal, that would not make the appeal proposal acceptable in terms of visual amenity. The presence of the trees and hedge give the site a verdant quality which would be adversely affected by the presence of the proposed advertisement.
8. I note the benefits of the appeal proposal put forward by the appellant in terms of sustainable development and economic development. Whilst I acknowledge that there will be some economic benefits, these do not outweigh the harm that I have identified.
9. I note the disagreement between the Council and the appellant over whether the appeal site is located on a 'gateway road'. I have limited evidence available to me on this issue, however, regardless of the status of the road, this does not alter my findings of harm to visual amenity. I also note the lack of objections to the appeal proposal, however, the absence of objection does not in itself render the scheme acceptable.
10. I therefore conclude that the proposed advertisement display would by reason of its height, size and illumination, adversely affect the visual amenity of the area. I note the appellants concerns that the Council have afforded too much weight to the Local Plan policies. Under Regulation 3(1) in England, a local planning authority shall exercise its powers in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material. I have taken into account Policies QP4 and QP8 of the Hartlepool Local Plan (2018) which are material in this case. Policies QP4 and QP8 of the Local Plan seek to ensure that development respects the local environment and that advertisements are appropriately located and are of an appropriate scale and size, and so are material in this case. The proposal would also be contrary to the National Planning Policy Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed; and is also material in this case. Given I have concluded that the advertisement harms amenity, the development conflicts with Policies QP4 and QP8 of the Local Plan and the Framework.

## **Conclusion**

11. For the reasons given above, I conclude that the appeal should be dismissed.

*C. Megginson*

INSPECTOR