



Appeal Decision

Site visit made on 12 July 2022

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2022

Appeal Ref: APP/Z1775/Z/22/3296047

Goals Soccer Centre, Tangier Road, Portsmouth, PO3 6QA

- 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 Mr Ben Porte (Clear Channel UK Ltd) against the decision of Portsmouth City Council.
 - The application Ref 21/01288/ADV, dated 1 September 2021, was refused by notice dated 4 February 2022.
 - The advertisement proposed is display of freestanding internally illuminated 48 sheet (6m x 3m) digital poster display with integral wildflower vertical green wall below, to be sited facing northbound traffic on Eastern Road.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the description of the proposed advertisement as it appears on the Council's decision notice.
3. Whilst Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to advertisement appeals, Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 does allow the provisions of the development plan to be taken into account if they are material. The Council have drawn my attention to policies PCS13 and PCS23 of The Portsmouth Plan (2012) (TPP). Although policy PCS23 relates to the design and conservation of new development and in this respect is arguably not directly relevant, insofar as it seeks, in conjunction with policy PCS13, to protect and enhance amenity and the City's green infrastructure, including important scenic locations, I have taken these policies into account, as those issues are material in this case.

Main Issue

4. The main issue is the effect of the freestanding digital sign on amenity.

Reasons

5. The appeal site comprises a small parcel of land on the western side of Eastern Road close to its junction with Tangier Road (to the north). The site is open and grassed, enclosed by a wire mesh fence with an existing freestanding sign advertising the Goals Soccer Centre, the main elements of which are located to the west and accessed from Tangier Road. The Centres five-a-side football

- pitches adjoin the western and northern boundaries of the appeal site. All the pitches are floodlit and enclosed by high mesh fencing.
6. Eastern Road is a dual carriageway, beyond which, to the east, is the foreshore to Langstone Harbour. A dedicated cycle/pedestrian path runs parallel with the eastern side of the road, with a separate pedestrian path sited closer to the foreshore. Both, at the time of my site visit, were well used. Other than the Goals Centre and Portsmouth College complex (further west on Tangier Road) this stretch of Eastern Road is largely undeveloped with the western side of the road well landscaped by hedging/trees and the eastern side comprising the open foreshore with extensive views across Langstone Harbour. Both latter features provide a positive and high quality natural setting to what is a busy road.
 7. The appeal proposal involves the removal of the existing sign and its replacement by an internally illuminated digital poster display with integral green wall below. The overall height of the proposed sign, with green wall, appears from the submitted plans to be around 5.7 metres and it would be sited facing the northbound traffic on Eastern Road.
 8. Paragraph 136 of the National Planning Policy Framework (July 2021) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council have not raised any objection to the proposed sign on public safety or cumulative grounds. In relation to amenity, paragraph 079 of the Planning Practice Guidance (PPG) chapter on advertisements states that this usually means the effect on visual and aural amenity. The Council's objection relates to the effect on visual amenity only.
 9. Given the above context, I agree with the Council that the height, scale, illumination and location of the proposed digital sign would represent an obtrusive and incongruous feature on this part of Eastern Road. The proposed sign would be sited in a highly prominent and visible location, and due to its combined scale, height and bulk it would dominate its surrounds resulting in an adverse affect on the visual amenities of the area.
 10. Paragraph 079 of the PPG states that, in assessing amenity, regard should be had to the local characteristics of the area and if the latter exhibits, for example, important scenic features then consideration will need to be given to whether any new advertising is in scale and in keeping with those features. As I confirmed above, the appeal site occupies a sensitive location within an area that exhibits important scenic features, specifically Langstone Harbour, which is covered by various habitat and conservation designations. Within that context, the proposed sign would not be in scale or in keeping with those important scenic features.
 11. Moreover, the proposed sign would appear out of keeping and visually harmful to the backdrop of mature landscaping/trees (to the north) as well as to the appeal sites open space designation within TPP. Whilst I accept that this backdrop is already partly screened by the existing sign, the latter is more discrete and is non-illuminated (reaffirmed in paragraph 3 of the Appellant's statement), whereas the increased scale, bulk and illuminated digital imagery of the proposed sign would be far more pronounced and would reduce the openness of this part of the road.

12. Therefore, I find that the proposed sign, due to its scale, height, location and illumination represents a discordant and inappropriate feature when viewed in the context of the surrounding area. It would result in an adverse affect on the visual amenities of the appeal site and surrounding area.
13. In reaching this finding, I have taken into account policies PCS13 and PCS23 of TPP insofar as they seek to protect and enhance amenity and the City's green infrastructure, including important scenic locations, and so are material to this case. Given that I have concluded that the proposal would result in an adverse affect on visual amenity and would be out of keeping with the surrounding areas important scenic features, the proposal conflicts with these policies.
14. The appellant argues that the proposed level of illumination would be low and should be viewed against the background of the existing floodlights to the Soccer Centre and street lighting. Neither of those considerations affect the findings I have reached above. I accept that the floodlighting and street lighting would provide some context to the proposed sign, but the scale and solidness of the proposed illuminated digital display would, in my judgement, be significant and excessive in this location. Whilst I also accept that the proposed sign would replace the existing Goals Soccer sign, as the submitted existing and proposed elevation plans show the latter is on a much smaller scale to the proposed sign and is non-illuminated.

Conclusion

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

G Roberts

INSPECTOR