

Appeal Decision

Site visit made on 19 September 2023

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02.10.2023

Appeal Ref: APP/J1725/Z/23/3322585

Advertising Right, 227 Brockhurst Road, Gosport, PO12 3AZ

- 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 Showcase Outdoor against the decision of Gosport Borough Council.
 - The application Ref 23/00049/ADVT, dated 14 February 2023, was refused by notice dated 29 March 2023.
 - The proposal is the erection and display of 1no. internally illuminated digital poster display on side elevation of 227 Brockhurst Road (to replace existing non-illuminated hoarding).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I use the Council's description above; it is understandable by the layperson and lies somewhere between the very short application form description and the complex one set out on the appeal form.

Main Issue

3. The main issue is the effect of the proposal on amenity.

Reasons

4. The Council refers to development plan policy. The Regulations require that decisions be made only in interests of amenity and public safety. Therefore, development plan policy alone cannot be decisive, but I have taken it into account as a material consideration.

Amenity

5. The existing and proposed poster site is the gable end of a residential property which is the last home on this south western stretch of Brockhurst Road before a substantial area of open landscape running northwards. Buildings locally are generally residential in nature with the main exceptions being a car dealer to the north west and a petrol station to the south both of which have varied advertisement displays. The locality's character is primarily set by generally modest two storey buildings close to the back edge of the highway, Brockhurst Road, which is a well-used vehicular route.
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6. The proposal is as described above and the illuminated panel (the 'D-Poster') would be of the same height (3m) and width (6m) as the existing hoarding but slightly slimmer. The original application indicated that the luminance of the D-Poster would be 300cd/m² as per industry standard. However, the Appellant has made it clear within the appeal papers that they would accept a condition restricting the luminance of the proposed D-Poster to 100cd/m² during hours of darkness, and also a curfew between the hours 23:00-06:00 where the display would be switched off. I shall assess the scheme on this basis.
7. In general terms, even with the local businesses and well used road, the locality struck me as quite low key in nature; low level premises, limited, usually directly related advertising, frontage buildings running one way, landscape the other, all leading to an aesthetic which is far from brash or impactful. Residential use predominates.
8. The context I describe in my mind all goes to make the existing hoarding, with its size and positioning, an anomaly. I would say this is unfortunate but clearly opposite decisions have been taken in the past and the hoarding rests where it is and presumably will continue in situ. The Appellant underlines this fact. Against this visual backdrop and the area's local character I would not support what would appear a less low-key format. Even with restricted and variable luminance and limited light spread and the technical case put forward by the Appellant, it would undoubtedly be a more eye-catching display to people passing and to some local residents during the day and more so in hours of darkness. The visual qualities of the area would diminish with an incongruous and obtrusive display feature which was bolder than the existing regrettable situation and is simply not suited in these low-key environs.
9. In summary, the scheme would result in a negative impact on amenity.

Other matters

10. I have considered both the National Planning Policy Framework and Planning Practice Guidance advice on advertisements and the factors embodied in these documents on matters such as economic and business encouragement. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described. I recognise that there is not a public safety issue in this case.
11. The Appellant has submitted images of gable end posters from around the country but by reason of immediate and wider context I would say the situations were not directly comparable. Furthermore, I would see some as not necessarily being an amenity benchmark, and in any event, I must judge the case before me on its own merits. I note that this site involves neither listed buildings nor conservation areas. I appreciate the ability to control illumination levels and output would be restricted as per paragraph 6 above and I do recognise that this display would be an upgrade rather than a new erection. The points made over sustainability in all its senses over the sign and its remote operation with reduction of travel are noted. These along with factors such as possible community announcements, rationalisation of advertisement sites elsewhere, and poster-making waste reduction all have some credence and I give them limited weight.

12.I have carefully considered these and all the other points raised by the Appellant. However, these matters do not outweigh the concerns which I have in respect of the main issue identified above.

Overall conclusion

13.For the reasons given above I conclude that the proposal would be unduly detrimental to amenity. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR