



Appeal Decisions

Site visit made on 5 November 2024

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2024

Appeal Ref: APP/J4525/H/24/3336244

Tenon House, Ferryboat Lane, Sunderland SR5 3JN

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by O'Briens against the decision of Sunderland City Council.
 - The application Ref is 23/01745/ADV.
 - The advertisement proposed is 4no. fascia signs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the sake of brevity and clarity I have used the description of development from the Council's decision notice.
3. At the time of my site visit the advertisements were in place on the appeal building. I have assessed the appeal accordingly.

Main Issue

4. The main issue is the effect of the advertisements on the amenity of the area.

Reasons

5. The area surrounding the appeal site is characterised by a mix of commercial and residential properties. The area has other advertisements relating to nearby commercial properties which are mostly modest in scale. It is this mix of building uses with unassuming advertisements which contribute to the character of the area.
6. The advertisements are vinyl and non-illuminated and I note that the nearest residential properties are some 50 metres away. Nevertheless, the advertisements are prominent features that dominate the street scene given their design and scale, and the size of the individual letters and images.
7. There are other advertisements in the area, including those relating to the car garage and advertisements adjacent to the A19 highway. I do not consider these other advertisements to be directly comparable to the appeal scheme before me, particularly with regards to design, scale and location. The appeal advertisements due to their design, scale and positioning are incongruous features that have a harmful effect on the character and appearance of the surrounding area.

8. My attention has been drawn to previous advertisements that were on the appeal building¹. There are significant differences between these previous advertisements and the appeal scheme, including the scale, design and siting of the advertisements.
9. Accordingly, the advertisements do have a harmful effect on the amenity of the surrounding area. They are contrary to Policy BH4 of the Sunderland City Council Core Strategy and Development Plan and the National Planning Policy Framework (the Framework) which seeks advertisements to be well designed and sympathetic to the character and appearance of their location and to the building to which they relate.

Conclusion

10. The advertisements do not have an adverse effect on public safety, however, this matter does not outweigh the significant harm I have identified with regards to the effect on the amenity of the area.
11. The advertisements conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
12. For the reasons given above, I conclude the appeal should be dismissed.

Chris Baxter

INSPECTOR

¹ Appendices 3 and 4 of the Appellant's Statement of Case