



Appeal Decision

Site visit made on 21 July 2009

by **Anthony J Wilson BA MA DipLA MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

The Planning Inspectorate
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Decision date:
3 August 2009

Appeal Ref: APP/H0738/H/09/2099610

Synthonia Club, Belasis Avenue, Billingham, Cleveland, TS23 1LH

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
- The appeal is made by Mr Kevin Chitty (J C Decaux UK Ltd) against the decision of Stockton-on-Tees Borough Council.
- The application Ref: 08/3576/ADV, dated 10 December 2008, was refused by notice dated 13 February 2009.
- The advertisements proposed are 2 free-standing, externally illuminated advertising display panels, each measuring approximately 3m high by 6m wide.

Decision

1. I dismiss the appeal.

Main issue

2. I consider the main issue is whether the sign respects the character or appearance of the area.

Reasons

3. The Council have drawn my attention to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
 4. The site of the proposed display panels lies alongside the Belasis Avenue; a dual carriageway which links the extensive employment areas on the northern side of the River Tees with the A19. Notwithstanding the commercial character of the properties along the southern road frontage, with one or two exceptions, they generally present an agreeable and uncluttered appearance to Belasis Avenue. In addition, a notable feature of the highway environment is the number of mature trees growing by the roadside, both within the verges and along some of the private frontages. This characteristic becomes particularly apparent in the area immediately to the west of the appeal site, where the highway trees merge with those growing on the boundary of the open land to either side of the road. Thus, I do not accept that the locality is the "functional urban area of unremarkable character and appearance" referred to by the appellants.
 5. The proposed advertising panels would be positioned against the trees growing on the boundary of the adjacent sports ground and, due to the openness of the
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Club site frontage, they would be particularly conspicuous in the roadside scene for some distance along Belasis Avenue when observed from the east. In my opinion, due to their overall height and size in such a prominent position, the proposed display panels would seriously detract from the character and appearance of this part of Belasis Avenue.

6. I acknowledge that the Synthonia Club building and its forecourt parking present a relatively utilitarian appearance to the roadside scene I have identified. The display site is also some way from the nearest residential properties and the panels would not be readily apparent in the public views from the west. Nevertheless, I do not consider that these matters provide sufficient justification to outweigh the harmful impact which the proposed advertisements would have on the amenity of the locality; nor would they divert me from my conclusion that the appeal should not succeed.

Anthony J Wilson

INSPECTOR