



Appeal Decision

Site visit made on 16 July 2019

by **M Harris BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 August 2019

Appeal Ref: APP/G4620/Z/19/3232320

574 Bearwood Road, Smethwick B66 4BW

- 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 Jonathan Chandler (Wildstone Capital Limited) against the decision of Sandwell Metropolitan Borough Council.
 - The application Ref DC/19/6617A, dated 6 March 2019, was refused by notice dated 13 May 2019.
 - The advertisement proposed is the erection of 1no. internally illuminated digital advertisement.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the amenity of the area.

Reasons

3. The appeal site is the gable end of No 574 Bearwood Road, the end of a terrace of properties forming part of a busy high street in Smethwick. The street is currently host to a number of national and independent stores at ground floor with further accommodation above. At the time of my visit the street was busy with pedestrian and vehicle movements. Beyond Bearwood Road, the streets are typically arranged as residential terraces which from my site visit are largely seen to be in good external condition and appearance.
4. A painted advertisement is currently displayed at the site and the appellant has confirmed that an externally illuminated poster advertisement (a '48 sheet') has previously been displayed; this is acknowledged by the Council within their Delegated Officer Report.
5. During my visit, I observed a single large format, illuminated poster advertisement on the junction of Bearwood Road and Adkins Lane. Other than this and the appeal site, the existing advertisements along Bearwood Road are typical of the types of retail premises which they serve, namely either fascia or projecting signs, some of which are illuminated.
6. Whilst the proposed advertisement has the same dimensions and is in the same position as the existing, a digital advertisement would represent a new format in this immediate locality. The appellant has indicated that the differing

level of illumination between a poster and digital advertisement would not be material and would be within the technical standards set by the Institute of Lighting Professionals (ILP) Technical Note 5; it has been confirmed that a condition to secure this mitigation via a restriction to the luminance would be accepted.

7. Furthermore, they have confirmed further mitigation as follows: the frequency of changes to the displayed advertisement to be not more than once every 10 seconds; the speed of the change to be no greater than 1 second; and there to be no use of moving/apparently moving images.
8. Nonetheless, I find that the digital nature of the proposals, specifically the change from a static advertisement to one that will change frequently, would be at odds with the existing character and appearance of the area. Whilst a static advertisement in this location is established, the proposals would introduce a more intrusive and dominant form of advertising which would result in a level of harm that the proposed mitigation would not adequately address.
9. For this reason, the proposal is contrary to the National Planning Policy Framework (paragraph 132) and the accompanying Planning Practice Guidance insofar as they seek to safeguard the quality and character of place in the interests of amenity.
10. The appeal is dismissed.

M Harris

INSPECTOR