

Appeal Decision

Site visit made on 3 October 2016

by Nick Palmer BA (Hons) BPI MRTPI

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

Decision date: 17 October 2016

Appeal Ref: APP/W2465/Z/16/3151840

21-23 Fosse Road Central, Leicester LE3 5PU

- 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 Dr Alif Moosajee against the decision of Leicester City Council.
 - The application Ref 20160057, dated 13 January 2016, was refused by notice dated 8 March 2016.
 - The advertisement proposed is two non-illuminated panels to the entrance columns.
-

Decision

1. The appeal is allowed and express consent is granted for the display of two non-illuminated panels to the entrance columns. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural matters

2. The advertisements are in place and so I shall consider the proposal on the basis that it is retrospective.
3. The application form is not dated so I have used the date as given on the Council's decision notice and on the appeal form in the heading.

Main Issue

4. The main issue in the appeal is the effect of the advertisements on the character and appearance of the area, including their effect on the West End Conservation Area.

Reasons

5. The appeal property consists of two adjoining terraced houses which are used as a dental surgery. The terrace is of large houses of elaborate and detailed designs which appear to date from the 19th or early 20th centuries and there is a similar terrace on the other side of the road. Other than the appeal property the other houses appeared on my visit to be in residential use. Fosse Road Central is a busy route and there are parking restrictions in force along both sides. The property is within the West End Conservation Area.
 6. The frontage of the property is hard surfaced and forms a car park. This has a wide entrance with the remainder of the car park enclosed by a low wall with a railing above. The entrance is defined by brick columns to which the signs are attached. These are angled in section so that they cover two faces of the columns and extend to almost their full height. The signs are of aluminium and
-

coloured dark green with the number of the building on the outer faces and the name of the surgery on the inner faces. I noted that there was also a free standing sign on the frontage, small signs on the building and a flag advertisement. The signs match the other signs in terms of their design and colour.

7. The appellant has explained that the signs are necessary in order to give advance notice to visitors travelling by car or taxi who may not be aware of the location of the facility. This would avoid last minute manoeuvres on the highway.
8. The location of the signs on the street frontage makes them prominent but this is necessary in view of their purpose and the free-standing sign which I understand has been approved is similarly sited. Although the signs occupy a substantial proportion of the outward-facing sides of the columns they are not illuminated and their colour and lettering has a discreet appearance. For these reasons the signs do not detract from the appearance of the building or the surrounding area. I conclude on this basis that the signs are not harmful to the character and appearance of the area. Moreover they preserve the character and appearance of the West End Conservation Area.
9. The Regulations require that decisions are made only in the interests of amenity and public safety. There is no requirement to determine applications in accordance with the development plan but I have taken into account the policies in the Leicester City Core Strategy (CS) (2010) referred to by the Council. Policy CS03 of the CS requires high quality design that contributes positively to the character and appearance of the area. Policy CS18 requires the protection and enhancement of the historic environment. For the reasons given I find that the design of the signs is of an appropriately high quality and the historic environment is not harmed. The proposal accords with those policies and this is material to my decision.

Conclusion

10. For the reasons given I conclude that the appeal should be allowed.

Nick Palmer

INSPECTOR