
Appeal Decision

Site visit made on 5 December 2016

by W Fabian BA Hons Dip Arch RIBA IHBC

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

Decision date: 19 December 2016

Appeal Ref: APP/B2002/Z/16/3157447

**Dolphin Hand Car Wash, 203 Victoria Street, Grimsby, North East
Lincolnshire DN31 1PS**

- 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 Dolphin Hand Car Wash against the decision of North East Lincolnshire Council.
 - The application Ref DM/0508/16/ADV, dated 19 May 2016, was refused by notice dated 15 July 2016.
 - The advertisement proposed is 1 totem style sign and 1 bill board style sign.
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Procedural Matter

1. It is clear from the submissions and from my site visit that the reference to a totem style sign in the description shown above relates to a sign that has been installed above the existing totem sign. I shall consider the appeal on this basis.

Decision

2. That part of the appeal that relates to 1 totem style sign is dismissed. That part of the appeal that relates to 1 bill board style sign as applied for is allowed and express consent granted for its display. 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 and the following additional conditions:
 - 1) The intensity of the illumination of the sign permitted by this consent shall be within that recommended by the Institution of Lighting Engineers (for a sign within Zone E3) in its Technical Report No. 5 Brightness of Illuminated Advertisements (Third Edition-2001) (or its equivalent in a replacement Technical Report).
 - 2) The image displayed on the sign permitted by this consent shall be static and shall not change.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the visual amenity of the surrounding area.

Reasons

4. The Dolphin Hand Car Wash occupies a former petrol station forecourt on Victoria Street, adjacent to the bus station and opposite the Police Station.

5. The proposed signs have already been installed and comprise a double sided LED display fixed above an existing totem sign at the front boundary to the road and a large 'billboard' type sign¹ fixed to the side wall of the bus station. Both signs are brightly illuminated and change content at short intervals.
6. Policy GEN17 of the North East Lincolnshire Local Plan, 2003, (LP) is a material consideration in this appeal. It requires, amongst other things, that advertisements should not have a significant adverse effect on the visual amenities of the area.
7. The bus station is a low-key but neat single storey panelled brick building. The Police Station is two stories, also brick in a 1950s style, with a well-kept generous grassed and tree-lined open forecourt. Other commercial premises along this wide well-trafficked road are in a similarly well-maintained condition with discreet and well-designed signage. I saw none that comprises LED displays and most signs are non-illuminated. The appellant has drawn attention to signage at the 'Kwik-Fit' premises close-by; although large, the fore court sign is of high quality construction, well designed, not internally illuminated and in scale with the two storey building here.
8. By contrast, the appeal sign that has been erected on top of the forecourt totem sign for the car wash seems to have been 'added-on' in an ad hoc way. It extends beyond the top width of the totem at each side in an uncomfortable relationship to it. It sits higher than the adjacent forecourt canopy and this unbalanced relationship is emphasised by the electrical supply wires that hang between it and the sign in an untidy looping manner. The construction of the sign looks of poor quality; the edging is a little buckled and ill-fitting in places, with surface fixings. The individual LED bulbs are relatively large, and set with gaps between, so that when unlit, they create a 'rough' texture.
9. The stark bright illumination is, as intended, extremely eye-catching, even when static. This adds to the visual prominence of the sign, which is unduly prominent in the particularly well kept surroundings here. Overall, it has an untidy ad-hoc appearance that does not equate to good design, the importance of which is highlighted at paragraph 56 of the National Planning Policy Framework.
10. While the Framework also seeks to build a strong competitive economy, it establishes that poorly placed advertisements can have a negative impact on the appearance of the built environment, as has partly occurred in this case. The appellant has offered to forego the non-static operation of the signs, but with reference to the sign above the totem, this would not address the other design flaws that I have set out above.
11. The same issues of poor quality and construction as well as the stark brightness and eye-catching nature of the changing display are all repeated for the billboard type sign that has been installed on the side wall of the bus station. However, its particular position lessens its prominence and reduces the harm to visual amenity to some extent and its distance from the road reduces the visual intrusion of its poor quality construction. It sits alongside, but at a well-judged distance from, a much larger hoarding type advertisement

¹ I note that the dimensions given in the Planning Officer's report appear to give the dimensions for the billboard sign as those for the sign above the totem and vice versa. In considering the appeal I have had regard to the dimensions given on the submitted drawings and the signs that I saw in place on site.

also fixed to the side of the building, but closer to the road. Given the offer to accept a static only display, and to control by condition of the level of illumination, I am satisfied that the harm to visual amenity caused by this sign could be reduced to an acceptable level.

12. All in all, taking into account all other matters raised I conclude that the sign above the totem has harmed the visual amenity of the surrounding area and the appeal in this regard should be dismissed. I conclude that, subject to the suggested non-standard conditions, the 'bill' board style sign would not harm the visual amenity of the surrounding area and the appeal in this regard should be allowed.

Wenda Fabian

Inspector