

Appeal Decision

Site visit made on 20 December 2016

by Michael Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 30th December 2016

Appeal Ref: APP/N4720/Z/16/3160657

410 Harrogate Road, Moortown, Leeds LS17 6PY

- 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 Straight (The Moortown Deli Limited) against the decision of Leeds City Council.
 - The application Ref: 16/04095/ADV, dated 1 July 2016, was refused by notice dated 17 August 2016.
 - The advertisement proposed is 'retrospective application for one illuminated sign'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Powers under the Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. Accordingly, the various development plan policies cited in this case are not decisive.
3. In the interests of clarity and brevity I have taken the description of development (above) from the decision notice.

Main Issue

4. The main issue in this case is the effect of the proposed sign on the amenity of the area.

Reasons

5. The appeal site is prominently located on the busy Harrogate Road close to its junction with Shadwell Lane. The property comprises a ground floor shop with a large parapet wall above which accommodates the disputed sign. The sign measures 5m x 1.5m and is painted white with a black border and black and red text. It is illuminated by a full-width overhead strip light.
 6. Consistent with the retail character of this part of Moortown, there are numerous advertisements and other signs on properties within the vicinity of the appeal site. They include fascia signs, projecting box signs, A-boards and a number of signs at upper floor level. Many are internally or externally illuminated.
 7. The great majority of these signs are in scale and proportion with the host building. However, the proportions and significant size of the appeal sign and
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its elevated position render it prominent and out of keeping with its surroundings, where the prevailing size and form of signage is generally more modest. Furthermore, its impact is compounded during the hours of darkness when the sign is illuminated, as I saw during my site visit. It also dominates the subject building. As a result, it is a discordant and intrusive feature that seriously harms the amenity of the area.

8. In coming to these findings, I acknowledge that the previous sign on the property was in a similar position on the building, but photographic evidence shows that it was significantly smaller than the appeal proposal. I also appreciate that there are other large signs in the area, including those at the Transform Clinic and Lloyds Pharmacy drawn to my attention by the appellant. However, it is not clear whether these signs required express consent, and in any event each proposal must be determined on the basis of its own site-specific merits. The Filmore & Union banner sign cited by the appellant was not displayed on the relevant building at the time of my visit.
9. Saved Policies GP5 and BD8 of the *Leeds Unitary Development Plan (Review 2006)* seek to prevent loss of amenity and require signs to be well designed, sensitively located within the street scene and carefully related to the character, scale and architectural features of the building on which they are placed. The appeal proposal would conflict with these policies.
10. For the above reasons, and having regard to all other matters raised, I conclude that the proposal is unacceptable and the appeal should be dismissed.

Michael Moffoot

Inspector