

Appeal Decision

Site visit made on 19 April 2017

by **Roy Merrett BSc(Hons) DipTP MRTPI**

Decision date: 26 April 2017

Appeal Ref: APP/N2739/Z/17/3167611

Ings View Farm, Main Street, Thorganby, Selby YO19 6DB

- 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 Mandale Construction Ltd against the decision of Selby District Council.
 - The application Ref 2016/1184/ADV, dated 5 October 2016, was refused by notice dated 1 December 2016.
 - The advertisement proposed is a sales hoarding.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal is retrospective, the sales hoarding having been erected.

Main Issue

3. The main issue is the effect of the hoarding on the character and appearance of the Thorganby Conservation Area (CA).

Reasons

4. Thorganby is a north – south orientated linear village incorporating a Conservation Area which substantially adheres to this linear form. The CA is characterised by two storey dwellings and bungalows, many of which exhibit traditional materials and features including red brickwork, clay roof tiles and sliding sash windows. The presence of 'green' front boundaries, garden trees along the road and taller more mature woodland evident in the wider area helps to break up and soften the built development, giving the village an attractive and informal rural character.
 5. The hoarding is situated immediately adjacent to the main road through the village at the southern end of the CA. It seeks to advertise and is immediately adjacent to the entrance to a residential development which is currently under construction. At 7.2 metres in height and situated close to the inside bend in the road, the hoarding is tall and very prominent. In addition it is designed with a white, blue and pink colour scheme in alternative horizontal bands, which is understandably intended to draw the eye. However in this location, I am firmly of the view that the sign appears as a strident and commercial
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intrusion, disproportionate to the scale of adjacent buildings and at odds with the rural character of the village.

6. The hoarding would conflict with Saved Policies ENV 1 and ENV 31 of the Selby District Local Plan 2005 and Policies SP18 and SP19 of the Selby District Core Strategy 2013 insofar as they seek to ensure that advertisements have regard to the context of their surroundings and safeguard the historic environment. It would also conflict with the National Planning Policy Framework insofar as it seeks to control advertisements in the interests of amenity whilst taking account of cumulative impacts.
7. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The hoarding harms the visual amenity of the area and accordingly fails to preserve the character and appearance of the CA.
8. I acknowledge that the principle of promotional signage for new residential development is nothing unusual and that developers understandably seek to raise interest in their product. Indeed this is reflected within the advertisement regulations, which allow for signage subject to certain specified conditions and limitations regarding size. However this does not justify the scale and design of the hoarding proposed in this case.
9. I have also taken into account that the appellant would accept a time limited permission, restricted to around nine months or until all units are constructed and sold. Whilst I give some weight to this consideration, it falls far short of outweighing the serious and ongoing harm being caused to the CA that I have identified which, in the context of national policy, is a consideration of significant weight.

Conclusion

10. For the reasons set out above, the hoarding results in harm to the visual amenity of the area and, having taken into account all other matters raised, I conclude that the appeal should fail.

Roy Merrett

INSPECTOR