
Appeal Decision

Site visit made on 16 August 2017

by Matthew Birkinshaw BA(Hons) Msc MRTPI

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

Decision date: 4th September 2017

Appeal Ref: APP/E2001/Z/17/3174598

Bilton Fisheries, 375 Main Road, Bilton, Hull, HU11 4DA

- 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 Telli against the decision of East Riding of Yorkshire Council.
 - The application Ref DC/16/04067/PAD/EASTSE, dated 1 December 2016, was refused by notice dated 15 February 2017.
 - The advertisement proposed is a totem sign at front and fascia sign to front of shop.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application form refers to the erection of a totem sign and a fascia sign. However, the fascia sign has been approved by the Council and granted advertisement consent under a different application (Ref 16/04318/PAD). As a result, the appeal is made against the Council's decision to refuse consent for the totem sign only.
3. The totem sign is already in place. The application is therefore retrospective and I have determined the appeal on the same basis.

Main Issue

4. The main issue is the effect of the totem sign on the character and appearance of the area.

Reasons

5. As erected the white totem sign measures approximately 3m high by roughly 1.1m wide. At the top is a triangular section with internally illuminated text below. Situated adjacent to the pavement the illuminated advertisement is clearly visible from either direction along Main Road, and has the appearance of a large, white arrow.
 6. Although the fish and chip shop is a commercial property and has operated from the site for many years, it is located within a predominantly residential area surrounded by semi-detached houses. Viewed in this context I consider that the white illuminated totem sign measuring almost 3m high is out of place. The size, modern design and prominent siting of the sign have resulted in a poorly placed, incongruous advertisement which has a negative impact on the predominantly residential character of the immediate surrounding area.
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7. In reaching this view I note that there are other commercial uses along Main Road including a hair salon, Post Office and petrol station. But neither the hair salon nor the Post Office has signage of a similar size, scale, or prominence. Although the petrol station has a much larger and brighter totem sign, it occupies a substantial plot on a roundabout shared with a garage and a hand car wash. The displayed petrol prices are therefore viewed in a materially different context to the appeal proposal.
8. The location of the shop within a predominantly residential area does not preclude the use of illuminated signage, and the Council confirms that an advertisement could be supported in principle. Furthermore, no objections have been raised by the Council regarding highway or pedestrian safety, light pollution or the living conditions of neighbouring residents. Although I find no reasons to disagree, the principle of new signage at the front of the shop does not justify granting consent for the large white totem sign that has been erected.
9. It is also appreciated that due to the location of the appeal property illuminated signage is necessary to display information after dark and attract passing trade. The appellant refers to a loss of sales as a result of a rival fish and chip shop opening nearby and allowing the appeal would therefore help secure the long term economic future of the business. Nonetheless, the economic benefits of the scheme do not justify allowing advertisement consent for such unsympathetic proposal which is harmfully out of place. Based on observations at my site visit restricting the level of illumination would not mitigate the incongruous size, siting or design of the totem sign in this location.
10. I therefore conclude that by reason of its size, design and siting the illuminated totem sign is harmful to the character and appearance of the area. As a result, it conflicts with the Regulations which require decisions for advertisement consent to be made in the interests of visual amenity (and/or public safety). The appearance of the totem sign in this location is also contrary to the aims and objectives of the National Planning Policy Framework which, amongst other things, seeks to promote high quality design and confirms that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.

Conclusion

11. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Matthew Birkinshaw

INSPECTOR