



Appeal Decision

Site visit made on 12 November 2019

by Graham Wyatt BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th November 2019

Appeal Ref: APP/W2465/Z/19/3234206

Kayal's Herb, 96 Granby Street, Leicester LE1 1DJ

- 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 Mrs Eva Doktrova against the decision of Leicester City Council.
 - The application Ref 20180874, dated 4 June 2018, was refused by notice dated 7 June 2019.
 - The advertisement proposed is described as "1) the timber that surrounds the main entrance door. 2) installation of menu sign to the front elevation. 3) sign supported on existing gantry bucket".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development in the banner above is taken from the application form. However, the proposal sought advertisement consent for an internally illuminated fascia sign, an internally illuminated hanging sign, an externally illuminated menu sign and an externally illuminated wall sign to the front of the building, which is reflected on the Council's decision notice. The Council refused advertisement consent for the internally illuminated hanging sign and the externally illuminated wall sign. I have determined the appeal on that basis.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the visual amenities of the area and the character or appearance of the Granby Street Conservation Area (CA).

Reasons

4. The appeal site forms a mid-terrace property that is located within the city centre of Leicester. The area is part of the commercial area of the city and contains a variety of proprietors such as restaurants and shops. The site also lies within the CA. Consequently, I am required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. Of particular relevance to

the appeal proposal is Policy CS18 of the Leicester City Core Strategy 2014 (the Core Strategy) which states that the "*Council will protect and seek opportunities to enhance the historic environment including the character and setting of designated and other heritage assets*".

6. The proposal seeks to retain the internally illuminated hanging sign and a further wall mounted sign that sits between two second floor windows. The wall mounted sign is illuminated by an external lamp that is located under the eaves of the building and sited between further lamps to the right and left of the sign.
7. The hanging sign utilises an existing bracket and is orientated in a portrait manner. The size of the sign has resulted in it encroaching over the ridge of the pediment that exists over the fascia and dominates the front of the building and is clearly visible when viewed from either direction along Granby Street. The hanging sign also has a rather bulky appearance as a result of it being internally illuminated and is in contrast to other projecting signs in the vicinity that are largely positioned at fascia level. Although I accept that a hanging sign has existed on the building as a result of the bracket that has been utilised, I have no evidence before me to demonstrate that such a large sign was historically on the building. The prominence of the sign can only be intensified when the sign is illuminated and its dominance on the front of the building is harmful to the amenity of the area and detracts from the character and appearance of the CA.
8. Turning to the wall sign on the front of the building, the Council argue that as there are no other examples of signs at second floor level, it is therefore harmful. While I accept that I was not able to see any such examples in the area and that the sign is flat against the building, the position of the sign at such a height does not diminish its visibility on the front of the building. The wall sign serves to act as additional visual clutter with signage at every level of the building which I find harmful to the amenity of the area, including the CA.
9. Thus, for the reasons as set out above, I conclude that the hanging sign and wall sign have a harmful effect on amenity. As such, it conflicts with Policy CS18 of the Core Strategy which seeks to protect amenity so is material in this case. For the same reason, the proposals would be contrary to the provisions of paragraph 132 of the National Planning Policy Framework.

Conclusion

10. For the reasons given above, and having regard to all other matters raised, the appeal is dismissed.

Graham Wyatt

INSPECTOR