
Appeal Decision

Site visit made on 27 November 2019

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2019

Appeal Ref: APP/N2739/Z/19/3237664

3 Beech Croft, York Road, Barlby, Selby, North Yorkshire YO8 5UY

- 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 Daniel Liddell on behalf of Daniel Gath Homes Ltd against the decision of Selby District Council.
 - The application Ref 2019/0416/ADV, dated 24 April 2019, was refused by notice dated 30 July 2019.
 - The advertisement proposed is: describes our development site in Barlby.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The Council describes the proposal as advertisement consent for retention of two non illuminated free standing signs. The same description is used in the appeal form, and I agree more accurately describes the proposal than the description used in the application form, with the exception that the reference to 'retention of' is not necessary. I have determined the appeal on the basis of the amended description.

Main Issue

3. The Framework is clear that advertisements should be subject to control only in the interests of public safety and amenity, taking into account cumulative impacts. There is no disagreement that the signs do not create any issues with regard to public safety. The main issue is therefore the effect of the signs on the character and appearance of the area.

Reasons

4. The advertising signs are located in the garden area of a residential property, no 3 Beech Croft. One sign faces northward, the other southwards. Both are visible to approaching traffic on the A19 road.
5. The property is situated at the entrance to a large area of modern housing. In terms of character it is primarily residential, although the presence of the A19 road and the open fields on the opposite side of the main road also have a strong influence.
6. The signs appear obtrusive to anyone entering or leaving the residential area and whilst not poorly designed, have an adverse effect on the character and amenity of the area.

7. The appellant's reason for displaying the signs are understood, given the location of the development referred to some distance away from the main road. The appellant says that the signs are only required until April 2020, presumably by which time the house in the Laurels development will have been sold. However, allowing the continuation of the display of the signs would harm the quality of the living environment, even if only for a short period of time.
8. The Council has referred to Policy T1 of the Selby District Local Plan -Part 1 General Policies (2005) (the SDLP2005). The policy refers to proposals being well related to the highway network. Since I do not find that the signs cause any harm to public safety, I see the policy as of limited relevance to the appeal.

Conclusion

9. The proposal would harm the character and appearance of the area, contrary to Policies SP1 and SP19 Selby District Core Strategy Local Plan (2013) (the Core Strategy) and Policy ENV1 of the SDLP2005 which require that new development must not compromise local character. Core Strategy Policy SP1 requires the Council to take a positive approach to new development, reflecting the principles contained in the Framework and the presumption in favour of sustainable development. The proposal does not comply with the policy since any benefits are outweighed by the harm caused to the quality of the local area by the display of the signs.
10. For the above reasons the appeal is dismissed.

Tim Wheeler

INSPECTOR