



Appeal Decision

Site visit made on 6 January 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2020

Appeal Ref: APP/A2335/Z/19/3239020

Williamson Court, Greaves Road, Lancaster LA1 4AR

- 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 McCarthy & Stone Retirement Lifestyles Ltd against the decision of Lancaster City Council.
 - The application Ref 19/00837/ADV, dated 1 July 2019, was refused by notice dated 22 August 2019.
 - The advertisements proposed are 2 non-illuminated double sided "V" board signs, 2 non-illuminated directional signs, 2 non-illuminated wall mounted signs and 3 non-illuminated flagpoles.
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Decision

1. That part of the appeal that relates to the non-illuminated double sided "V" board sign in the north eastern corner of the site, close to the junction of Greaves Road and Brunton Road, shown on the V Board Dimensions Plan drawing dated 03.03.2017, is dismissed.
2. That part of the appeal that relates to the 2 non-illuminated directional signs, 2 non-illuminated wall mounted signs, 3 non-illuminated flagpoles, and the non-illuminated "V" board sign facing Greaves Road in the south eastern corner of the site as applied for is allowed and express consent granted for their display. The consent is for the period until 1 July 2021, and is subject to the five standard conditions set out in the Regulations and the following additional condition:

- 1) The express consent hereby granted shall expire on 1 July 2021.

Preliminary Matter

2. At the time of my visit, numerous signs and flags were present on the site which, in some respects, differed from those described and shown in the appellant's submissions. Notwithstanding those signs currently in place on the site, I have considered the appeal on the basis of the proposed signage as described on the application form and shown on the submitted drawings, and in the positions shown on the Sales Signage Application Plan, Elevation and Details drawing 1815-503 revision H.

Main Issue

3. The main issue is the effect of the proposed advertisements on amenity.

Reasons

4. The appeal relates to a recent development of apartments on Greaves Road. Express consent was granted in 2016 for various advertisements associated with the marketing of the apartments, for a temporary period of one year. That consent was also subject to a further condition requiring the removal of the "V" board signs prior to the first occupation of certain specified apartments.
5. At present, around a quarter of the units remain unsold, and a sales complex remains on site. Consent is therefore sought for the marketing signage for a further temporary period, until 1 July 2021.
6. The site is located between two small parades of commercial units on Greaves Road which have fascia and, in some cases, small projecting signs. However, the site's length along Greaves Road is such that the residential apartments create a significant and distinctive break in that commercial frontage. The surrounding area is also predominantly residential in character.
7. The "V" board signs and flags proposed close to the Greaves Road frontage would be very tall and prominent, even compared to the signage on nearby commercial properties. They would therefore appear highly incongruous and unduly dominant when viewed against the backdrop of the residential apartment building, and in the wider, predominantly residential street scene. The proposed wall-mounted signs would also appear as incongruous features on the front of the residential apartment building, and further detract from its character and appearance.
8. To the side and rear, on Brunton Road and Ash Grove, the site is surrounded by residential properties. In that context, the 'Sales Complex' signs on the corner of Brunton Road and Ash Grove, and on Ash Grove close to the car park entrance would appear highly discordant, introducing incongruously commercial features into those residential street scenes.
9. The signs would therefore be harmful to the amenity of the site and its surroundings, and their retention on a permanent or long-term basis would not be acceptable. However, whilst much of the building is now occupied, around a quarter of the flats remain unsold, and there is still a sales presence on site. In those circumstances, a further temporary consent for the majority of the proposed signs until 1 July 2021 would represent a reasonable balance, allowing ongoing publicity of the remaining units to continue in the short term, whilst protecting the amenity of the site and its surroundings in the long term.
10. However, whilst most of the signs would be sufficiently separated from surrounding houses or, in the case of the flagpoles adjacent to the apartment building, would be of such relatively limited width as to avoid adverse effect on the outlook from those nearby properties, the same would not apply to the large "V" board sign in the north eastern corner of the site.
11. As a result of its significant height and overall width, and its proximity to the adjacent apartment building and several windows within it, that particular sign would represent an overbearing feature which would unduly dominate the outlook from those windows immediately to the sides and rear of it, and significantly and disproportionately affect any appreciation of the site's wider surroundings when viewed from those areas. It would thus also cause significant harm to the amenity of the occupants or users of those areas.

12. Consequently, as a significant proportion of the apartment building is now occupied, that particular sign would be unacceptable, even for a temporary period. The absence of objections from occupants of the apartment building does not indicate an absence of harm in that regard, and does not alter my conclusion on this matter.
13. For the reasons given, I conclude that the proposed signs would cause harm to the amenity of the site and its surroundings and that, if retained on a permanent or long-term basis, they would conflict with the Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed. They would also conflict with Policy DM6 of the Local Plan for Lancaster District 2011-2031, a further material consideration which, amongst other things, requires advertisements to be sensitive to the surrounding street scene.
14. However, on balance and having regard to the particular circumstances in this case, I consider it appropriate to grant consent for all but one of the signs for a temporary period until 1 July 2021. The exception is the non-illuminated double-sided "V" board in the north eastern corner of the site. For the reasons given, I conclude that particular sign would cause significant harm to the amenity of neighbouring occupants, to an extent which would not be outweighed by any benefits in terms of assisting the promotion of the apartments, even on a temporary basis.

Conditions

15. I attach a condition specifying the period for which express consent is granted, for certainty. As the freestanding signs would be mounted on poles and would thus affect very limited areas of the ground around the building, and those on the building would be of relatively limited size, a condition requiring the reinstatement of those areas upon removal of the signs is not necessary.

Conclusion

16. For the reasons given, and having regard to all other matters raised, I dismiss the appeal insofar as it relates to the "V" board sign in the north eastern corner of the site, and I allow the appeal insofar as it relates to all of the other signs applied for, for a temporary period until 1 July 2021.

Jillian Rann
INSPECTOR