



Appeal Decision

Site visit made on 6 January 2020 by L Wilson BA (Hons) MA

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2020

Appeal Ref: APP/H2733/Z/19/3238547

28 Seamer Road, Scarborough YO12 4EA

- 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 Steve Flint against the decision of Scarborough Borough Council.
 - The application Ref 19/01657/AA, dated 25 June 2019, was refused by notice dated 9 September 2019.
 - The development proposed is described on the application form as 1 no. 48 sheet non-illuminated billboard.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposed advertisement on the visual amenity of the area.

Reasons for the Recommendation

4. The Planning Practice Guidance (PPG) advises that the local characteristics of an area should be considered when assessing amenity. The PPG provides further advice and is generally supportive of advertisements in an industrial or commercial area of a major city, where there are large buildings and main highways, and where the advertisement would not adversely affect visual amenity¹.
5. Whilst the character of Seamer Road varies along its length, the appeal site is situated in primarily a residential area. The appellant highlights that the site is not located within a formally designated area, such as a Conservation Area. The character of properties within the street scene vary, there are traditional two storey terraces and a more modern apartment building. There are also several small commercial businesses occupying the ground floor of residential buildings. Within the wider area, larger commercial units are evident when travelling in a southerly direction.

¹ Paragraph: 079 Reference ID: 18b-079-20140306

6. The advertisement would be located on the gable of No.28 Seamer Road which is a two-storey, end of terrace, residential property. No.28 is situated at the junction of Depot Lane and Seamer Road. Seamer Road serves as a main transport corridor and at the time of my visit this area had high levels of traffic flow. The small industrial estate on Depot Lane is set back and barely visible from Seamer Road, such that it does not alter the primarily residential character of the immediate surroundings.
7. The advertisement would be situated in a prominent location when travelling in a southerly direction, away from the town centre. The gable end of No.28 is particularly visible in the street scene and draws the eye because the apartment building, north of the site, is set back and due to land level differences. The overtly commercial nature of the proposal would appear at odds when set against the prevailing residential character.
8. The scale of the proposed display would be disproportionately large when compared to the scale of the two-storey host building. The simple form of the gable end is typical of the modest properties fronting Seamer Road and a substantial proportion of the gable would be covered by the proposed billboard. Consequently, the scheme would result in an incongruous and unsympathetic feature which would dominate the street scene by reason of its siting, scale and commercial appearance. The appellant states the quality of the boards used by the advertisement company are high. Nevertheless, the advertisement would appear at odds with the residential character of this section of Seamer Road and would not be seen within the context of nearby commercial units.
9. Although there are other advertisements located close to the appeal site these are more discrete because of the siting of adjacent buildings, including the billboard at the end of Salisbury Road which is less conspicuous to oncoming traffic than would be the case for the proposed advertisement in this case which would be situated on a gable end which projects forward of adjacent structures. The freestanding signs highlighted by the appellant are substantially smaller in scale and therefore cannot be compared to the proposal. Opposite the appeal site is a large freestanding sign which details the businesses within the industrial estate. The Council appear to be concerned that there would be a cumulative impact with the proposed advertisement and existing signage. I agree with the appellant that due to the positioning of the freestanding sign, and mature vegetation, the advertisement and sign would not be readily seen simultaneously.
10. The appellant states that the scheme could be revised through siting it more centrally and combining the Depot Lane signage with the advertisement. However, proposals cannot be amended through the appeal process and I must assess the impact of the scheme based upon the details considered by the Council. Similarly, a lack of harm to public safety and supporting local businesses are not considerations which outweigh the harm identified above.
11. Accordingly, for the reasons given above, I find that the proposed advertisement would harm the visual amenity of the area. I have taken into account the National Planning Policy Framework in so far as relevant to matters of amenity and public safety. Since the proposed advertisements would cause visual harm to the street scene, the scheme would not meet with the aims of paragraph 132 of the National Planning Policy Framework.

Conclusion and Recommendation

12. For the reasons given above I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Chris Preston

INSPECTOR