
Appeal Decision

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th May 2020

Appeal Ref: APP/E2734/Z/20/3246962

Carpet Right, Plumpton Park, Harrogate HG2 7LD

- 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 Wren Kitchens against the decision of Harrogate Borough Council.
 - The application Ref: 19/05150/ADV, dated 13 December 2019, was refused by notice dated 6 February 2020.
 - The advertisements proposed were originally described as "Consent to display 4No. Sets of replacement and new signage to front elevation".
-

Decision

1. That part of the appeal that relates to the 1 number (no.) internally illuminated fascia sign to the front elevation is dismissed. That part of the appeal that relates to the 1no. internally illuminated welcome sign and 2no. externally illuminated fascia signs to the front elevation as applied for is allowed and express consent is granted for their display. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. In response to travel restrictions currently in place due to the COVID-19 pandemic I consider that this appeal can be determined without the need for a physical site visit. This is because I have been able to reach a decision based on the information already available. Both the appellant and the Council were given an opportunity to provide comments on this approach.
3. The description of development set out in the banner heading above is taken from the application form. The Council's decision notice describes the proposal as the "display of 1no. internally illuminated fascia sign, 1no. internally illuminated welcome sign and 2no. externally illuminated fascia signs to the front elevation. (Revised scheme)". This is more accurate and so it has been used in my decision paragraph, excluding the superfluous elements.
4. During the course of the appeal, the Council adopted the Harrogate District Local Plan 2014 – 2035 (2020) (LP). The policies contained in the LP replace those in the former Core Strategy (2009) and Local Plan (2001) that are referred to in the Council's reason for refusal. In the interests of fairness, the main parties were also given the opportunity to comment on this matter.

Main Issue

5. The main issue is the effect of the proposal on the amenity of the area.

Reasons

6. The appeal property comprises a unit on a retail park. It has some pleasing visual qualities by way of a pointed gable-like feature above the main entrance on the front elevation that contains semi-circular stonework. Stone is also incorporated into detailing at the top of the brick columns which support a wide eaves structure. There is a general level of conformity in the design of the unit with the rest of the buildings on the retail park.
7. The proposed internally illuminated fascia sign would constitute a large central structure that would be positioned on the gable. As well as detracting from the design of this feature, it would also obscure the associated stonework. In addition, it would be prominent due to its siting in an elevated position at eaves level and because it would be illuminated. It would appear out of place and as it would be the design of this feature that would be compromised, this would not be overcome by the absence of an effect on the detailing at the top of the brick columns.
8. The appellant has drawn my attention to previous signage on this building, together with other units in the retail park. None, though, appear to have utilised signage that is positioned in the same way as the proposed fascia sign that is for my consideration.
9. As regards the other examples of the appellant's signage around the country that I have been referred to, only the Nottingham store bears a semblance to the appeal property. The signage on that unit is located below its front gable feature and wide eaves level, unlike the proposed fascia sign before me. The site circumstances are sufficiently different so as to not alter my conclusion.
10. The appellant has raised matters in relation to economic considerations and corporate branding. However, the Advertisement Regulations (2007) only permit amenity and public safety to be taken into account in my decision.
11. The proposed welcome sign and the 2 fascia signs either side of the main entrance would raise less of a concern. They would essentially be replacing existing signage on the building. Even though they would be larger, they would still be within the confines of the brickwork and below the eaves level. As they would not be unduly elevated, their illumination would also not result in unacceptable impacts, including on the occupiers of the nearest residential properties in the area. When viewed from within the retail park and the streetscene, they would fit in comfortably.
12. In relation to visual clutter, excluding the proposed fascia sign where I have expressed concerns, the overall number of signs would remain the same. Hence, they would not be detrimental to the visual amenity of the host building and the surrounding area in this regard.
13. I conclude that the proposed fascia sign would have an unacceptable effect on the amenity of the area. As such, it would not comply with paragraph 132 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed. The remaining proposed signage would not have an unacceptable

effect on the amenity of the area, and so they would comply with paragraph 132. Matters in relation to the adoption of the LP do not change my views as Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to advertisement appeals.

Conclusion

14. For the reasons set out above and having regard to all matters raised, the appeal is allowed in so far as it relates to the 1no. internally illuminated welcome sign and 2no. externally illuminated fascia signs to the front elevation but dismissed in so far as it relates to the 1no. internally illuminated fascia sign.

Darren Hendley

INSPECTOR