
Appeal Decision

Site visit made on 23 June 2020

by D M Young JP BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 9 July 2020

Appeal Ref: APP/W2465/H/19/3243870

1-3 Haymarket and 2-4 Humberstone Gate, Leicester LE1 3YA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Metro Bank PLC against the decision of Leicester City Council.
 - The application Ref 20191576, dated 19 August 2019, was refused by notice dated 31 October 2019.
 - The advertisement proposed is the installation of two internally illuminated pin-mounted signs; two illuminated ATM signs.
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Decision

1. The appeal is allowed, and express consent is granted for the display of the advertisements as applied for. 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.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. As set out in the Appellant's submissions, this appeal relates solely to the two illuminated entrance signs measuring roughly 1m x 2.75m¹. The signs would be erected on the Humberstone Gate and Haymarket frontages of the appeal building. Both signs displaying the words "METRO BANK" would be sited 3.75m above ground level.
4. Part of the Haymarket Shopping Centre, the appeal building is a two-storey, corner unit located very close to the Grade II Clock Tower which is widely reputed to represent the centre of Leicester city centre. As I saw on my site visit, the surrounding context is highly urbanised forming the heart of Leicester's shopping and commercial district. The appearance of the Haymarket Centre has evidently undergone a process of change since it was built in the 1970s.
5. The modern shop design shown on the submitted plans was granted permission on appeal in April 2019². The Inspector in that case found that the contemporary glazed design would not be inappropriate to its context nor alter

¹ Marked '3' on Page 1 of the Leicester Signage Strategy Schedule Ref:08/13/18-R2

² PINS Ref: APP/W2465/W/18/3202506

the significance of the Clock Tower. The Appellant's wider signage strategy appears to me to be entirely consistent with the approved design. Given the prevalence of much larger and prominent adverts both illuminated and non-illuminated, I find it difficult to comprehend how the Council came to the view it did in relation to the appeal proposal.

6. I have considered the argument that the signs would be inconsistent with those in the locality. However, I observed not only a wide variety of advert designs but also significant variation in their height. Just a few units away there is a very large and prominent sign at first/second floor level for T.K. Maxx. I also noted various adverts at first floor level along Humberstone Gate. The Appellant's Statement of Case contains images of some of these examples. Given the modest scale of the adverts proposed, I consider the Council's concerns to be unconvincing and overplayed.
7. I have noted concerns about the effect of the adverts on the Clock Tower. However, based on my observations they would have a negligible effect on views to or from the Clock Tower and there would be no conflict with the aims of Condition 4 attached to the 2019 permission. The effect on the setting of the heritage asset would be at worst 'neutral'.
8. Overall, I find that the two illuminated entrance signs would be entirely appropriate to their context and proportionate to the size of the host building. Accordingly, they would not harm the amenity of the area. Based on the foregoing, there would be no conflict with paragraph 132 of the National Planning Policy Framework which seeks to ensure advertisements do not give rise to unacceptable amenity and public safety effects.
9. Although a list of conditions has not been supplied by the Council, their Appeal Statement invites me to impose a condition preventing illumination. However, the Planning Practice Guidance³ advises that conditions should not be used to modify a proposal in a way that makes it substantially different from that set out in the application. In any case, I have found that illumination would be acceptable in this case having regard to the character and appearance of the area. The suggested condition is therefore unnecessary.

Conclusion

10. For the reasons set out above, I conclude that the appeal is allowed.

D. M. Young

INSPECTOR

³ Paragraph: 012 Reference ID: 21a-012-20140306