
Appeal Decision

Site visit made on 1 July 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2020

Appeal Ref: APP/E2001/Z/20/3248957

The Park Residential Care Home, 54 Cliff Road. Hornsea HU18 1LZ

- 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 J Jenkinson of Hatzfeld Care Ltd against the decision of East Riding of Yorkshire Council.
 - The application Ref 19/03760/PAD, dated 1 November 2019, was refused by notice dated 5 February 2020.
 - The advertisement proposed is a non-illuminated free-standing sign to front.
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Decision

1. The appeal is allowed and express consent is granted for the display of a non-illuminated free-standing sign to front 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 Regulations¹.

Procedural Matter

2. The proposal was amended during the course of the application from an externally illuminated advertisement to a non-illuminated advertisement as currently proposed.

Main Issue

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

Reasons

4. The appeal site comprises a large detached care home which is set back from the road. It is situated in a predominantly residential area, although there are some commercial properties which have advertisements in the wider area. The sign would be situated between two mature trees that are located to the front of the property, adjacent to the pavement.
5. Due to its size and siting, the proposed signage does not strike me as being excessive in the context of the large care home building and its site. It would not appear out of place in relation to the building or its surroundings. As I have identified, the surrounding area is predominantly residential in nature, however crucially, the appeal site is not. Although I have determined the appeal proposal on its own merits, I recognise that such signage is common at educational, care and medical institutions which are often located in residential

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007

areas. Accordingly, I am satisfied that there would not be any unacceptable effect or any significant harm to the visual amenity of the area.

6. Although there are existing signs at the property, I do not find that the proposal would lead to clutter or harmful cumulative impacts. I also find that the content of the sign, in relation to the colours and lettering, is not extreme or unreasonable. It would not cause unacceptable harm to the appearance of the surrounding area. I do not consider that the proposal, due to its size and siting, would cause harm to the living conditions of occupants of any surrounding residential properties.
7. The proposed advertisement would comply with the guidance contained in paragraph 132 of the National Planning Policy Framework (2019) (the Framework) which outlines that quality and character of places can suffer when advertisements are poorly sited and designed, and that advertisements should be subject to control only in the interests of, amongst other things, amenity.
8. In accordance with the Regulations², I have taken into account the provisions of the development plan so far as they are material. I conclude that the advertisement would not have a harmful effect upon amenity and would comply with Policy ENV1 of the East Riding Local Plan (2016) which requires, amongst other things, that all development should safeguard and respect the diverse character and appearance of the area.

Other Matters

9. I have considered the objections that were submitted. The majority of the issues that were raised have been considered above. Reference is made to the fact that signage to other care homes, including a previous sign at the appeal site, is smaller than that currently proposed. Be that as it may, I have found the proposal to be acceptable on its own individual planning merits.
10. Objections have referred to the conduct of the appellant and an unwillingness to discuss the proposal with the community. These matters are not pertinent to the main issue and are not relevant matters for the appeal process. In determining the appeal, I have only had regard to the planning merits of the proposal.
11. The Council's reason for refusal refers to the use of reflective material in the proposed advertisement. There is nothing before me, or on the submitted plans, to indicate that this would be the case. In any event, it does not alter my conclusion.

Conclusion

12. For the reasons given above I conclude that the display of a non-illuminated free-standing sign would not cause harm to the amenity of the area. The appeal is therefore allowed.

A M Nilsson

INSPECTOR

² Town and Country Planning (Control of Advertisements) (England) Regulations 2007