
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: 24 July 2020

Appeal Ref: APP/V2004/H/20/3250544

Link 63 Industrial Park, Unit B, Liverpool Street, Kingston upon Hull, HU3 4XT

- 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 Arco Ltd against the decision of Kingston-upon-Hull City Council.
 - The application Ref 19/01487/ADV, dated 17 December 2019, was refused by notice dated 11 February 2020.
 - The advertisements are 2no. internally illuminated signs to north elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council issued a split decision on the application. The Council has granted consent for some signs but attached a condition effectively refusing consent for the signs subject to the appeal. It is clear from the evidence which signs are in dispute, namely 2no. internally illuminated signs to the north elevation. It is these signs which are subject to the appeal.
3. At the time of my visit the advertisements had been installed. I am therefore considering the appeal retrospectively.

Main Issue

4. The main issue is the effect of the advertisements on the amenity of the area.

Reasons

5. The appeal property is a single storey industrial/commercial unit. It is situated in a predominantly industrial and commercial area where there are advertisements to other premises.
6. The signs in dispute are located on the rear (north) elevation of the building overlooking an access road that is adjacent to a busy roundabout junction.
7. The building is of an unashamedly industrial/commercial appearance. Its entrance is defined on the southern elevation which overlooks a courtyard parking area. The appeal signs are located on the northern elevation, which by design, has a more restrained appearance. I consider that due to their size and siting, emphasised by their internal illumination, the signs create overly dominant features and stand out with undue conspicuousness even within the mainly commercial environment.

8. In my opinion, the signs encourage an impression of sign clutter. The presence of other signage in the area, unauthorised or otherwise, or the lack of any enforcement action by the Council, is not sufficient to outweigh the cumulative harm I have identified with the advertisements.
9. The advertisements therefore conflict with the guidance contained in paragraph 132 of the National Planning Policy Framework (2019) 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, taking account of cumulative impacts.
10. In accordance with the Regulations¹, I have taken into account the provisions of the development plan so far as they are material. I conclude that the advertisements have a harmful effect upon amenity and are contrary to Policy 20 of the Hull Local Plan (2017) which requires, amongst other things, that advertisements should have an acceptable impact on amenity with particular regard to its relationship to the features of the building it is placed on, and advertisement clutter.
11. The signs are also contrary to guidance contained in the Advertisement Design Guidance Supplementary Planning Document 8 (2019) which for signs on industrial type buildings should: be in suitable proportion with the scale of elevation of that part of the building; ideally comprise one sign for each elevation; and be designed and positioned as an integral feature of the building.

Other Matters

12. The appellant has stressed the commercial significance of the advertisements. Outdoor advertising can play an important role in denoting commercial units and informing customers. However, the Regulations generally require decisions to be made only in the interests of amenity and, where relevant, public safety. Therefore, it is these factors, rather than any commercial need, that must be given the most weight.
13. The appellant has also referred to advertisement consent granted at Unit 1, Project Park, Freightliner Road. Although I do not have full details of the case, these are to a different property at a different location and are therefore of limited weight. Also, I have considered the appeal on its own individual merits.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR

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