



Appeal Decision

Site visit made on 27 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2020

Appeal Ref: APP/E2734/Z/20/3252807

15 Cheltenham Parade, Harrogate HG1 1DD

- 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 Mrs M Melo of Bodega Bar and Grill Ltd against the decision of Harrogate Borough Council.
 - The application Ref 19/04028/ADV, dated 12 February 2020, was refused by notice dated 3 April 2020.
 - The advertisement proposed is retention of display of 1 no. internally illuminated fascia sign to the front elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of the proposal in the heading above from the Council's Decision Notice as this accurately represents the proposed advertisement. This description is also similar to that used in the appeal documents.
3. The application refers to the retention of a sign and I saw that an advertisement was in place at the time of my visit.

Main Issue

4. The main issue is the effect of the proposal on the amenity of the area with due regard to the Harrogate Conservation Area.

Reasons

5. The appeal site is part of a terrace of four storey properties, with commercial uses mainly at street level and residential units above. With the exception of the building at the opposite end of the terrace, the upper floors have retained their attractive traditional residential appearance, including bay windows which make an important contribution to the architectural rhythm of the terrace. As an attractive traditional feature within the Harrogate Conservation Area (CA), the terrace contributes to the importance of the CA as a designated heritage asset.
6. The proposed sign is mounted on two of the bay windows and straddles the gap between them. This disrupts the rhythm of the terrace and obscures the upper part of an attractive doorway into the building. I saw that the sign is

also located at a higher level than other signs on the terrace which adds to its unacceptable prominence, which will be exacerbated further when the sign is illuminated during the hours of darkness. The clumsy and utilitarian mounting brackets add to this unfortunate appearance.

7. The appellant refers to other signs which have been granted consent in the area. However, I have not been provided with full details of those approved signs and so cannot be sure that they represent a direct parallel to the appeal proposal. That said, those signs that I saw on the Everyman Cinema and the properties referred to elsewhere in the CA were mounted on buildings of a different character to the appeal site and were not of the same design or positioning as the appeal proposal. I have in any event determined this appeal on its own merits.
8. For the reasons given above, the proposal would conflict with Policies HP2 and HP3 of the Harrogate Local Plan 2020 with regards to the effect on heritage assets and local distinctiveness. The proposal would also conflict with the National Planning Policy Framework with regards to achieving well-designed places. The proposal would be contrary to the advice of the Council's Shopfronts Design Guide 1999 in respect of the nature of illumination and the standards of design in conservation areas. However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken these policies and advice into account, they have not been a decisive consideration in my determination of the appeal.
9. The proposal, due to its design and siting, would lead to significant harm to the appearance of the host building and would not preserve or enhance the character or appearance of the CA. Whilst the harm to the CA would be less than substantial, there are no public benefits that would outweigh that harm. I conclude that the proposal would therefore be harmful to the amenity of the area.
10. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR