



Appeal Decision

Site visit made on 22 September 2020

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

an Inspector appointed by the Secretary of State

Decision date: 8 October 2020

Appeal Ref: APP/E2734/W/20/3253660

Carmaster, Units 1 to 4 Kindon Court, Camwal Road, Harrogate, North Yorkshire HG1 4PT

- 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 Rebecca Pullan of Carmaster (UK) Ltd against the decision of Harrogate Borough Council.
 - The application Ref 20/00653/ADV, dated 15 February 2020, was refused by notice dated 15 April 2020.
 - The advertisements proposed are display of 2 no. illuminated fascia sign; display of 3 no. non-illuminated fascia sign; display of 1 no. roof sign.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the appeal proposal is taken from the Council's decision notice which I consider accurately describes the application for consent to display advertisements. The Council issued a split decision which refused consent for the roof sign and granted consent for the other advertisements. On that basis, this appeal and my decision relate to the proposed roof sign only.

Main Issue

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

Reasons

4. The appeal site consists of commercial units located within an area containing a mixture of businesses. The sign which forms the basis of this appeal would be located on the roof slope to the rear of the premises. Although the sign would be located to the rear, I saw that it would be readily visible from the platforms of the nearby railway station. Whilst there are a variety of building designs and roof slopes visible from the rear, the roofscape has a utilitarian and uncluttered appearance and I saw that there are no other signs located on the roofs of buildings in the immediate vicinity of the site.
5. Within this context, the sign would appear as an obtrusive feature which would add clutter to the roofscape. Even allowing for the angle of the roof slope and

- the effect on the apparent size of the sign, the sign would be a prominent and incongruous feature which would detract from the understated and uncluttered roofscape.
6. The appellant has referred to a number of other signs in the area. However, I have not been provided with details of the circumstances that led to these signs being erected and so cannot be certain that they represent a direct parallel to the appeal proposal. That said, some of the identified signs indicate the harmful effect of clutter arising from poorly located and designed advertisements, such as those shown in photos 3 to 6. Furthermore, none of the signs in the immediate vicinity are erected at roof level in the same manner as the appeal proposal.
 7. Whilst there are signs located at roof level on the shopping area of Starbeck High Street, these are of a different form to the appeal proposal and set within a different context. They do not therefore lead me to a different conclusion in respect of the harm arising from the appeal proposal.
 8. The Council submits that the proposal would set a precedent for further inappropriate signage to be erected in the vicinity. I consider that this is not a generalised fear of precedent, but a realistic and specific concern as I saw that there were nearby buildings which presented similar circumstances as the appeal site. Whilst I am mindful that each proposal should be determined on its individual merits, allowing this appeal would make it more difficult to resist further applications for similar advertisements and I consider that the cumulative effect would exacerbate the harm in respect of clutter on this understated roofscape.
 9. The appellant has offered to commit to not requesting further signage on this elevation. However, the proposed sign taken on its own merits would lead to significant harm to the visual amenity of the area. Moreover, there are a number of buildings which are not under the appellant's control and the appellant's offer does not therefore mitigate my concerns in respect of precedent.
 10. I conclude that, due to its siting and design, the proposed roof sign would have a significant adverse effect on the amenity of the area. Consequently the proposal would conflict with Policy HP3 of the Harrogate Local Plan 2020 (the Local Plan) with regards to harm to local distinctiveness. The proposal would also conflict with the National Planning Policy Framework with regards to achieving well-designed places. The Council's decision refers to Policy HP2 of the Local Plan, although the Council has since confirmed that this was referred to in error. 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 had regard to these policies, they have not been a decisive consideration in my determination of this appeal.
 11. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR