



Appeal Decision

Site Visit made on 15 June 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2021

Appeal Ref: APP/E2734/Z/21/3270970

STREET RECORD, Baynes Drive, Dishforth, North Yorkshire

- 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 Newett Homes against the decision of Harrogate Borough Council.
 - The application Ref 20/04753/ADV, dated 25 November 2020, was refused by notice dated 18 February 2021.
 - The advertisement is 2No. freestanding non-illuminated signs.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. No address was provided on the application form. The address in the banner heading is the one used by the Council on its decision notice. Both signs have been erected.

Main Issues

3. The main issues are the effect of the advertisement signs on the visual amenity of the area and on public safety relating to road users.

Reasons

Visual Amenity

4. The appeal site comprises land located beside the A168 (Leeming Lane) to the west of Dishforth. The Council's Officer Report states that the appeal site is located within an Area of Special Control for Advertisements. The area is a pleasant agricultural landscape, with open views afforded across the landscape. There are views of the A1(M) to the west and Dishforth to the east.
5. Given their location, appearance and scale, and in the absence of other advertisements of a similar scale or appearance, the advertisement signs appear as highly prominent and visually obtrusive features in this predominantly open agricultural landscape. Their proximity to each other exacerbates the obtrusive nature of the signs. As such the advertisement signs are not in keeping with the character of the area and have a significantly harmful effect on its visual amenity.
6. The appellant has stated that the signs would replicate the existing street furniture at this location with road signs, street lights and fencing given as examples. Whilst these may be man-made features, they are all features that are commonly associated with roundabouts in such locations and therefore

features to be expected here as opposed to advertisements. Their presence does not serve to moderate the harmful effect on visual amenity caused by the advertisement signs.

7. I have taken into account Policies HP3 and NE4 of the Harrogate District Local Plan 2014-2035 (March 2020) which seek to protect amenity and so are material in this case. Given that I have concluded that the proposed advertisement signs harm visual amenity, they conflict with these Policies. They also conflict with paragraph 132 of the National Planning Policy Framework (the Framework) which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public Safety

8. Both signs are located near to a roundabout which services an exit slip road from the A1(M), the A168 and the road to and from Dishforth. One advertisement sign is located in between two arms of the roundabout and faces onto it. The other is close to the roundabout, on the approach to it on the A168 and faces onto this road. There is a pedestrian and cycle path adjacent to the roundabout on its northern side with crossing points provided on the road islands of two of the approach roads.
9. The Planning Practice Guidance (PPG) advises that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. Roundabouts are given as an example of one such location. The PPG advises that the main types of advertisement which may cause danger to road users include those which, because of their size or siting, would obstruct or confuse a road-user's view.
10. Having observed the signs whilst using the roundabout, my view is that the advertisement signs are inappropriate in these locations. Given their scale and location, the advertisement signs attract the attention of drivers on the approach to the roundabout, in particular from the west, and whilst manoeuvring on it. As set out above their presence is jarring given the absence of comparable installations and the prevailing rural context here.
11. This is likely to result in a significant distraction to drivers just at the points where full concentration on the road is required to interpret highway directional signs and make decisions about directions of travel, accommodate other traffic entering and leaving the roundabout and have an awareness of pedestrians or cyclists crossing the road. There is therefore a risk that drivers could be distracted by the advertisement signs and as a result fail to stop or indicate their intended direction of travel when required.
12. The advertisement signs introduce an unacceptable distraction at a roundabout where drivers need to be taking care. The advertisements signs therefore present a significant risk to public safety as it relates to highway safety. This would conflict with paragraph 132 of the Framework, which seeks to control advertisements in the interest of public safety.

Conclusion

13. Whilst I acknowledge the potential benefits of signage to Newett Homes, nevertheless I conclude that the advertisement signs are significantly detrimental to the interests of amenity and present a significant risk to public safety. For the above reasons, having had regard to all matters raised, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR