
Appeal Decisions

Site visit made on 19 March 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 March 2022

Appeal A: APP/E0915/H/21/3283163

30 Lismore Street, Carlisle, Cumbria CA1 2AH

- 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 S Mohammed against the decision of Carlisle City Council.
 - The application Ref 21/0806, dated 9 August 2021, was refused by notice dated 3 September 2021.
 - The advertisement proposed is a wall sign.
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Appeal B: APP/E0915/H/21/3285905

30 Lismore Street, Carlisle, Cumbria CA1 2AH

- 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 S Mohammed against the decision of Carlisle City Council.
 - The application Ref 21/0756, dated 19 July 2021, was refused by notice dated 13 September 2021.
 - The advertisement proposed is the installation of 2 No internally illuminated fascia signs.
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Decisions

Appeal A: APP/E0915/H/21/3283163

1. The appeal is dismissed.

Appeal B: APP/E0915/H/21/3285905

2. The appeal is dismissed.

Procedural Matters

3. In respect of appeal B, I have taken the description of development from the Council's refusal notice as it more accurately describes the appeal proposal.
4. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

5. I have determined an appeal for shop front alterations at the site and this is the subject of a separate appeal decision.¹

Main Issue

6. The main issue in respect of both appeals is the effect of the signage on the visual amenity of the area.

Reasons

Appeal A: APP/E0915/H/21/3283163

7. It is proposed to retain a non-illuminated wall sign measuring about 2.6 metres by 1.3 metres on the Lismore Street elevation. The wall sign has blocked up an original ground floor window opening. The sign has a black background with white lettering and a yellow, white, red and blue logo.
8. The appeal property falls within a terrace where the ground floor and first floor windows are aligned. In this regard, there is a pleasing sense of design symmetry relating to the appeal property and the wider terrace. The sign has been installed over a ground floor window and it materially detracts from the aforementioned design symmetry. This harm is exacerbated in so far that the advertisement is large as a proportion of the ground floor elevation and includes bright colours in an area where surrounding building materials and other advertisements are finished in muted tones.
9. For the above reasons, I conclude that the wall sign appears incongruous in the street-scene, and on the appeal property, and hence significant harm has been caused to the amenity of the area. Consequently, it does not accord with the visual amenity requirements of policy SP6 of the Carlisle District Local Plan 2015-2030 (LP) and paragraph 136 of the National Planning Policy Framework 2021 (the Framework).

Appeal B: APP/E0915/H/21/3285905

10. It is proposed to install one illuminated fascia sign above a new shop front on the Lismore Street elevation and one illuminated fascia sign above a new shop front window on the Broad Street elevation. The aluminium signs would have a black background with white vinyl lettering and a yellow, white, red and blue logo. The application form states that the illumination would be static, but no details of illuminance levels have been provided.
11. I have separately found that the proposed shop front alterations would be harmful as part of the determination of a separate appeal. In combination with the shop front alterations, the advertisements would have the effect of departing unacceptably from the consistency of window proportions and fenestration details within the building and wider terrace that existed prior to unauthorised works commencing at the appeal site.
12. Furthermore, this is a predominantly residential area and while I do not have final illuminance details, I am concerned that the use internally illuminated signs would appear as stark and brash additions in this environment, at odds with the traditional simplicity of the Victorian buildings and architecture in the locality. This harm would be compounded in so far that the signs would include

¹ APP/E0915/W/21/3285877

the use of bright colours in an area where surrounding building materials and other advertisements are finished in muted tones.

13. For the above reasons, I conclude that the proposed fascia signs would have a deleterious impact on the street-scene and the appeal property. Therefore, significant harm would be caused to the visual amenity of the area. Consequently, the proposal would not accord with the visual amenity requirements of policy SP6 of the Carlisle District Local Plan 2015-2030 (LP) and paragraph 136 of the National Planning Policy Framework 2021 (the Framework).

Conclusions – Appeal A and B

14. For the reasons outlined above, I conclude that both Appeal A and Appeal B should be dismissed. In reaching the above conclusions, I have taken into account the appellant's comment that the intention of the signs is to attract the attention of potential customers. I do no doubt that it would be possible to have some signage on the building, as was the case previously, without harm being caused to the visual amenity of the area. However, in this case the appellant's desire to attract the attention of customers does not outweigh my identified harm.

D Hartley

INSPECTOR