



Appeal Decision

Site visit made on 22 March 2022

by A Caines BSc(Hons) MScTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2022

Appeal Ref: APP/E2734/Z/22/3294039

Alexander House, Bar Lane, Roeclyffe YO51 9LS

- 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 J G (Alexander Motor Company) against the decision of Harrogate Borough Council.
- The application Ref 21/05309/ADV, dated 8 December 2021, was refused by notice dated 28 February 2022.
- The advertisements proposed are a halo-illuminated "A" logo sign on southern gable end (sign 2), halo-illuminated individual letters sign on southern gable end (sign 3), halo-illuminated individual letters sign on south-eastern elevation (sign 4), non-illuminated letters sign on south-eastern elevation (sign 5), internally illuminated built-up "A" logo sign on canopy above the central office/reception area (sign 6), and halo-illuminated individual letters sign on southern elevation (sign 8).

Decision

1. That part of the appeal that relates to the halo-illuminated "A" logo sign on the southern gable end (sign 2) is dismissed.
2. That part of the appeal that relates to the 3 halo-illuminated individual letters signs (signs 3, 4, and 8), the non-illuminated individual letters sign (sign 5), and the internally illuminated built-up "A" logo canopy sign (sign 6) as applied for is allowed and express consent granted for their display. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The signs permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.
 - 2) The intensity of the illumination of the signs permitted by this consent shall be no greater than 400cd/m².

Preliminary Matters

3. I have taken the description of the signs from the appellant's "Description of Development", excluding the superfluous elements and those signs that are no longer part of the proposal.
4. At the time of my site visit a number of signs were already in place on the building. However, some of the signs appeared to be inconsistent in size and position to the drawings before me. Therefore, for the avoidance of any doubt, I have considered the appeal on the basis of the submitted drawings.

Main Issue

5. The Council has not raised any concerns on safety grounds. I have no reason to take a different view. Thus, the main issue in this appeal is the effect of the proposed advertisements on amenity.

Reasons

6. The appeal relates to a large commercial building in use as a car dealership. The surrounding area is mostly commercial/industrial, interspersed with a few houses along Bar Lane and two caravan sites.
7. The halo-illuminated "A" logo sign on the southern gable end of the building would be uncomfortably large in relation to that elevation of the building and in comparison to other forms of signage in the area. In addition, it would be prominent due to its proximity to the road, its raised profile, and because it would be illuminated. Consequently, this sign would be incongruous and visually intrusive, notwithstanding the mixed character of the area. This harm would not be overcome by the suggested controls over the intensity and timing of the illumination.
8. The other internally illuminated "A" logo sign above the reception canopy would be a much smaller element relative to the extent of that part of the building, and set well back from the road. It would also be viewed against a glazed backdrop, which itself would be lit from within during the darker hours. As such, this illuminated sign would not be prominent or obtrusive.
9. The 3 halo-illuminated individual letters signs and the non-illuminated sign would be proportionate elements on the building. In addition, their number and placements would not result in visual clutter. I have noted the concerns of neighbouring residents with particular regard to the illuminated signs. However, having regard to the halo method of illumination, together with the separation distances involved, existing lighting on and around the building, and the suggested conditions to control the intensity of illumination and hours of use, I am satisfied that these signs would not result in unacceptable impacts on the occupiers of neighbouring properties, the street scene, or local wildlife. As such, these signs would also be unobtrusive and appropriate in their context.
10. Drawing these matters together, I conclude that the halo-illuminated "A" logo sign on the southern gable end would be harmful to the amenity of the site and its surroundings. Whilst not decisive, this element of the proposal would also conflict with Policy HP3 of the Harrogate District Local Plan (2020) (the LP) insofar as it seeks to protect visual amenity. It would also conflict with the National Planning Policy Framework (the Framework) where it states that the quality and character of places can suffer when advertisements are poorly sited and designed. Whilst the Council has also cited conflict with Policy NE4, this policy appears to relate to matters of landscape character, which I do not consider to be relevant to this case, and I find no conflict with it. The remaining signage would not have an unacceptable effect on the amenity of the area, and so they would comply with LP Policies HP3 and HP4, as well as the Framework.

Conditions

11. In addition to being subject to the standard conditions set out in the Regulations, conditions to restrict the intensity and hours of illumination are imposed in the interests of the amenity of the area. I have made some minor

amendments to the suggested wording to ensure the conditions meet the relevant tests in the Framework.

Conclusion

12. For the reasons given, I dismiss the appeal in so far as it relates to the display of the halo-illuminated "A" logo sign on the southern gable end (sign 2) as it would be detrimental to the interests of amenity; but I allow the appeal in so far as it relates to all of the other signs applied for (signs 3, 4, 5, 6 and 8) as they would not be detrimental to the interests of amenity.

A Caines

INSPECTOR