
Appeal Decision

Site visit made on 4 May 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2022

Appeal Ref: APP/Q9495/Z/22/3294525

Former Ravensfield Care Home, High Hill, Keswick, CA12 5NX

- 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 Ms Sarah Simpson (Whitbread Group plc) against the decision of Lake District National Park Authority.
 - The application Ref 7/2021/2128, dated 21 April 2021, was part refused by notice dated 14 January 2022.
 - The advertisement proposed is 1 no. individual letter and roundel sign positioned on north west elevation of building. Size: 1000mm x 4350 mm x 160mm comprising 50mm deep built-up individual letters powder coated purple with halo illumination via white LEDs and a single sided roundel, aluminium powder coated purple with halo illuminated via white LEDs.
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Decision

1. The appeal is allowed and express consent is granted for 1 no. individual letter and roundel sign positioned on north west elevation of building. Size: 1000mm x 4350 mm x 160mm comprising 50mm deep built-up individual letters powder coated purple with halo illumination via white LEDs and a single sided roundel, aluminium powder coated purple with halo illuminated via white LEDs. 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 condition:
 - The intensity of luminance of the advertisement shall be no greater than 32 candela per square metre during the hours of darkness.

Procedural and Policy Matters

2. The description of the proposal is taken from the appeal form. It expands on the description of the Authority and clearly describes the advertisement before me, given that the appeal only relates to the advertisement which was refused consent which formed part of a larger set.
3. The Council has drawn my attention to Local Plan Policy it considers to be relevant to this appeal and I have taken it 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 policies of the Authority have not therefore, by themselves, been decisive.

Main Issue

4. The main issue is the effect of the proposed advertisement on amenity. This is with particular regard to the general characteristics of the locality, including the presence of features of historic, architectural, cultural or similar interest and the living conditions of nearby residential occupiers.
5. The Authority do not raise any concern in relation to the effect of the proposal on public safety and I have no reason to disagree with their position.

Reasons

6. The advertisement would be placed on the north west facing elevation of the new Keswick premier inn hotel, which at the time of my site visit was under construction. The site sits on the edge of the Town Centre within a mixed commercial and residential area.
7. The advertisement would be visible against the backdrop of Keswick Conservation Area (the Conservation Area) looking south-east from High Hill to the north-west of the site and would fall within its setting. However, the significance of the Conservation area sits in part with its character and appearance as a busy commercial centre within the Lake District which incorporates a wide range of advertisements on its business premises.
8. Additional signage at this new commercial property, which would be sensitively illuminated and on a premises which would have round the clock use, within this context would not therefore harm the setting nor significance of the Conservation Area.
9. A substantial amount of the significance associated with the Grade II former Keswick School of Industrial Arts (KSIA), which sits to the south-east is derived from its past historical and functional associations with Canon Rawnsley and the use and role that the building historically played within the town.
10. Its setting therefore plays a limited role in its significance, and further signage on the opposite side of the premier inn building which would have little or no intervisibility with the KSIA would not harm its significance.
11. When approaching from the north-west, more especially from the north-eastern side of High Hill, the signage would be visible in the same viewing frame as 3-6 High Hill and Ivy Cottage, which are grade II listed.
12. The significance of these buildings falls more with their form, scale and materials as attractive vernacular buildings. They do however sit within a mixed townscape setting and are flanked by taller and in some cases more modern buildings to both sides.
13. They are also viewed against the backdrop of a rather tall and prominently coloured pre-existing totem sign adjacent to the premier inn. Against this backdrop, the signage would not harm the setting nor significance of these buildings.
14. High Hill Farm does have windows that would allow occupiers to look directly towards the location of the advertisement. However, the low-level halo illumination would be reasonably subtle and there is also some planting on the boundary which in part restricts inter-visibility between the sites.

15. Further, the advertisement would be most prominent during the hours of darkness, when it is likely that curtains or blinds would be drawn on such residential windows. There would not therefore be any significant adverse effect on the living conditions of neighbouring occupiers.
16. I therefore conclude that the advertisement would have no unacceptable impact with regard to amenity. I have not identified any conflict with policies 01, 02, 06 or 07 of the Lake District National Park Local Plan (2021) which have been put before me.

Conditions

17. In addition to the five standard conditions set out in the Advertisement Regulations a further condition is necessary to limit the luminance of the advertisement in the interests of the amenity of the area.
18. The approved plans condition suggested by the Authority is not necessary as it is express consent which is being granted and not planning permission. A condition relating to clearance from the highway is unnecessary given the indicated height of the advertisement.

Conclusion

19. For the reasons above, the appeal should be allowed.

T J Burnham

INSPECTOR