



Appeal Decision

Site visit made on 28 March 2023

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2023

Appeal Ref: APP/E2001/Z/23/3315743

St Faiths Church, Dunswell Lane, Dunswell, East Riding of Yorkshire, HU6 0AG

- 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 Calum Preston against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/03425/PAD, dated 18 October 2022, was refused by notice dated 22 December 2022.
 - The development proposed is the display of 1 internally illuminated wall mounted sign and 1 non-illuminated totem sign.
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Decision

1. The appeal is dismissed insofar as it relates to the non-illuminated totem sign.
2. The appeal is allowed insofar as it relates to the internally illuminated wall mounted sign, and so express consent is granted for the display of 1 internally illuminated wall mounted sign at St Faiths Church, Dunswell Lane, Dunswell, East Riding of Yorkshire, HU6 0AG, in accordance with the terms of the application, Ref 22/03425/PAD, dated 18 October 2022 and the plans submitted with it, so far as relevant to that part of the development hereby permitted. 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.

Main Issue

3. The main issue is the effect of the proposed advertisements on the amenity of the area and public safety.

Reasons

4. The appeal site is a former church in a largely residential area. As noted by the appellant, there are commercial and other non-residential uses nearby, and some of these have signage and advertisements of varying sizes and appearance.
5. The proposed totem sign would be 3m tall and stand in a grass verge behind the footway edge. Although one of the immediate neighbours to the site appears to be a farmhouse with a barn, the proposed totem would nevertheless be in a street with buildings of a largely residential and domestic scale, character and appearance. Indeed, the former church itself is not markedly different in scale, character and appearance to its surroundings.

7. There are no similar signs or other advertisements immediately visible in the street scene close to and surrounding the site. As a result, in my view, the totem sign would be prominent, atypical and jarringly different to its surroundings. I note the examples given by the appellant, and I was able to see these on my site visit. However, none of those signs or sites have the same arrangement or relationship to their surroundings as that proposed in this appeal, and as such, I do not find that they alter my reasoning.
8. As such, I find that the totem sign, by virtue of its size, siting and prominence would harm the amenity of the area.
9. The proposed wall mounted sign would be located well within the site boundary and its visibility and any effect on amenity would be extremely limited by its location and relationship to its surroundings. As such, although I note the objections to it, and to its illumination, I find that the wall mounted sign would not harm the amenity of the area.
10. The Council's Highway Development Management Officer notes that the proposed totem sign appears to be within the visibility splay of the site access. As such, it would have highway safety implications, and by extension, could harm public safety. There are no highway or public safety concerns in relation to the proposed wall mounted sign.
11. Insofar as it is relevant to consideration of the effect of the proposal on amenity, I have taken into account policy ENV1 of the East Riding Local Plan 2012-2029 Strategy Document, adopted April 2016.

Conditions

12. The Regulations set out five standard conditions, and I have not found it necessary to impose any additional conditions beyond them.

Conclusion

13. I note that the Council has no objections to the wall mounted sign in terms of amenity or public safety. As this part of the proposal is physically and functionally severable from the proposed totem sign, I consider that a split decision would be appropriate.
14. For the reasons given above I conclude that the proposed totem sign would harm the interests of both amenity and public safety. The appeal should therefore be dismissed in that respect.
15. However, I also conclude that the proposed wall mounted sign would not harm the interests of amenity or public safety, so the appeal should therefore be allowed in that respect and express consent granted for that advertisement.

S Dean

INSPECTOR