



Appeal Decision

Site visit made on 15 December 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2024

Appeal Ref: APP/E2001/Z/24/3352365

88 - 90 Boothferry Road, Goole, East Riding Of Yorkshire DN14 6AE

- 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 for the display of an advertisement.
 - The appeal is made by Mr C Bailey, 'Cash It In' against the decision of East Riding of Yorkshire Council.
 - The application Ref 24/01661/PAD.
 - The development proposed is display of 1 illuminated fascia sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of 1 illuminated fascia sign as applied for. 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:
 - 1) The illumination levels of the advertisement shall not exceed 450 candela per square metre.

Procedural Matter

2. Since the determination of the application the National Planning Policy Framework (2023) has been superseded by the National Planning Policy Framework (2024) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.
3. At the time of my site visit, I saw that the development was in situ, I have dealt with the appeal on this basis.

Main Issue

4. The main issue is the effect of the advertisement on the amenity of the area.

Reasons

5. The site is within a predominantly commercial area within the Goole Town Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.

6. Paragraph 212 of the Framework states that great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposal on such an asset. This is irrespective of the level of harm.
7. The Council's Conservation Team have provided comments confirming that the appeal site is a heavily altered twentieth century building which does not make a positive contribution to the character and appearance of the conservation area. I agree. Many of the buildings on Boothferry Road which are in retail use have prominent modern signage, of a scale, material and appearance that does not sensitively replicate historic signage.
8. The proposed signage extends the width of the fascia, some 11.8m in length by 0.9m in height. The lettering on the signage is a bold red, with a black background and white casing around the font. The fascia sign replicates the scale and design of modern signage that characterises Boothferry Road.
9. The Institute of Lighting Professional Guide PLG/05 provides advice on the brightness of illuminated advertisements and uses environmental zones to categorise appropriate levels of illumination. In this instance the Council consider that the location does not necessarily conform to a specific zone however as it is situated within an urban area whereby the recommended maximum level of luminance is 400 or 600 cd/m² depending on the area of the sign.
10. The Council state that the advertisement is 1200 cd/m² which is double that recommended, and therefore signage would have an adverse impact on the character of the area in terms of light pollution. However, the application form submitted with the appeal denotes that the illumination level would be 450cd/m² the appeal form also confirms that the level was reduced from 1200 to 450. Notwithstanding the discrepancy in the level of illumination a condition could be imposed securing an appropriate illumination level.
11. I find that the advertisement is not incongruous to the area or the commercial unit itself. I conclude that the display of 1 illuminated fascia sign is not detrimental to the amenity of the Goole Town Conservation Area.
12. I have taken into account Policies ENV1 and ENV3 of the East Riding Local Plan 2012-2029, Strategic Document (2016) which amongst other things seeks to support the delivery of high quality design which preserves or enhances heritage assets. Given I have concluded that the proposal would not harm amenity, the proposal does not conflict with these policies.
13. I find no conflict with the Framework, which seeks to protect heritage assets and the quality and character of places from poorly sited and designed advertisements.

Conclusion and conditions

14. In the interest of clarity and to protect amenity I have imposed a condition relating to the maximum level of illumination allowed.
15. The appeal is allowed and consent granted for the display of 1 illuminated fascia sign on the terms set out in the Decision.

C Pipe

INSPECTOR