



Appeal Decision

Site visit made on 11 February 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/E2001/Z/24/3356307

71-73 Boothferry Road, Goole, East Yorkshire DN14 6BB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Imat Ahmed against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/02365/PAD.
 - The advertisement proposed is 'fascia signs x 2 and vinyls in windows'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The description above is taken from the application form that differs from the decision notice in that it includes the vinyl advertisements. The Council is aware of them and therefore neither party would be prejudiced by me taking them into account. At the time of my site visit, the advertisements to the front were in place but only the structure was for the one to the rear. I have proceeded on this basis.
4. I have taken the cited development plan policies into account as material considerations. However, power to control advertisements may be exercised only in the interests of amenity and public safety and therefore the policies alone have not been decisive. The Council do not have concerns regarding public safety, and I have no reason to disagree. My recommendation thus focuses on the effect of the advertisements on amenity.

Reasons for the Recommendation

5. The appeal site is a retail unit located within the town centre and the Goole Conservation Area (GCA). The area is commercial with ground floor shop fronts. Fascia signs on the frontage of the nearby premises are vibrant and differ in size but they are generally set above large full-length windows. The appeal site also has an entrance to the rear that opens to a car parking area and a supermarket. Signage here is much more limited and generally smaller scale than that seen on Boothferry Road.

6. The fascia sign on the frontage would be of a substantial size with large lettering. However, when viewed against the wider street scene, it would not appear overly large or prominent. Fascia signs on Boothferry Road are quite mismatched in terms of their size, colour and design and therefore the front fascia sign would not detract from the visual amenity of the GCA. The vinyls would however cover the entirety of the ground floor windows with different images of products. Whilst signage in the area is varied, they would create a sense of clutter that would detract from the appearance of the area and negatively draw the eye. Combined with their size and position covering the whole of the windows, the vinyls would detract from the visual amenity of the GCA.
7. The fascia sign to the rear would be of a substantial size and extend across the width of the premises. It would jar against the rear of the other nearby premises where advertisements are much smaller and generally flush to the rear wall. The proposed advertisement on the raised frame would therefore appear as a large bolt on to the top of the entrance adding a detail that would compete for visual dominance. This would also detract from the visual amenity of the GCA.
8. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This statutory duty applies in advertisement appeals in so far as it relates to the consideration of amenity. The question of considering the harm against the public benefits as required by the National Planning Policy Framework is not applicable.
9. With this and the above in mind, the proposed signage, when taken as a whole, would cause harm to the visual amenity of the area. The proposal is therefore contrary to the aims of Policies ENV1 and ENV3 of the East Riding Local Plan Strategy Document 2016 as far as they are material to the main issue and concerned with development respecting the character and appearance of an area amongst other things.

Other Matters

10. I have not been provided with the specific history of any previous signage at the site and therefore this does not change my findings above. Furthermore, the appeal process cannot be used to evolve a scheme in the interests of fairness for all parties. I am unable therefore to consider amended plans.

Conclusion and Recommendation

11. For the reasons given above, I have found that there would be harm to visual amenity. I therefore recommend the appeal is dismissed.

L Clark APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison INSPECTOR