

Appeal Decision

Site visit made on 13 September 2016

by Graham M Garnham BA BPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/C1570/Z/16/3152671

1st floor, 27 High Street, Great Dunmow, Essex, CM6 1AB

- 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 Wei Tan against the decision of Uttlesford District Council.
 - The application Ref UTT/16/0791/ADV, dated 21 March 2016, was refused by notice dated 11 May 2016.
 - The advertisement proposed is externally illuminated fascia sign.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The sign for which consent is sought was in place when the application was submitted to the local planning authority. The retrospective nature of the proposal does not affect my consideration of its merits.

Main Issue

3. I consider that this is the effect of the proposal on the character and appearance of the Great Dunmow Conservation Area, including the setting of an adjoining listed building.

Reasons

4. The appeal premises are on the first floor of a two storey building that has three commercial units on the ground floor. The building is brick built, a modern infill development within a street containing several listed buildings on either side and across the road. It is centrally located within the main commercial area of the Great Dunmow Conservation Area. This comprises numerous historic buildings of a considerable variety of ages and styles, fronting onto the footway. Many older buildings appear to have 19th century or more recent shop fronts, but generally the historic forms, detailing and materials of upper floors are well preserved. I observed few signs of vacant or underused buildings, suggesting a healthy local economy in which investment in building updates may pose a threat to features of historical interest. It is thus important that the significant historic merits of this market town conservation area are duly preserved and, where possible, enhanced.
 5. Each of the ground floor units in the appeal building has modern signage at fascia level, aligned with which is a similarly modern sign above the door giving access to the appellant's restaurant. Although the sign for which consent is
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sought is described as a fascia sign, it is attached directly to the wall of the building between the fascia and first floor window sill height. The base of the sign is 3.35 metres above ground level, and it is 1.168 metres high by 3.795 metres wide. It is almost twice the height of the fascia below, and overlaps with about half the width of the sign for the unit below. It is both higher in size and position on the building than other signage in the vicinity. I saw no other signage where one sign was placed above another or extending up to first floor sill height. High Street curves away from the appeal site to the north, meaning that the sign is particularly prominent in views from this direction.

6. The sign adjoins no.s 21-25 High Street next door. This is a Grade II listed building, formerly houses, built in the early 19th century. The shop fronts are more recent and less distinguished, but the upper floors are well preserved. I consider that the juxtaposition of the sign with the upper floor next door, very clearly seen from across the road, detracts significantly from the setting of this listed building.
7. The sign is externally illuminated by a trough light fixed at the top of the sign, for nearly its entire width. Most of the external illumination I observed comprised smaller and more discrete spot lights, which have less of a modernising impact on the host properties and the area. I consider that this form and size of lighting further aggravates the impact of the sign on its historic setting, and would give added prominence to the sign when it is lit.
8. The appellant has offered the use of a condition to remove the illumination and some text across the bottom of the sign. I consider that this would mitigate the impact to some degree, but not enough to outweigh the considerable harm arising from the size and positioning of the sign board itself. I have also had regard to the fact that the present sign replaces an earlier one. A photograph provided indicates that this sign was of a more traditional design, and it is likely that the colour, size and lack of illumination would have made it less visually intrusive than the present sign. However, I consider that these matters do not add decisive weight against the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Harm to a conservation area, such as that which I have identified, is a matter to which I am expected to attach considerable importance and weight.
9. The Council's reason for refusing consent cites Policies GEN2, ENV1 & ENV2 in the Uttlesford Local Plan (2005). Such policies cannot be determinative with regard to advertisements, which should be subject to control only in the interests of amenity and, where relevant, public safety. However, in so far as they seek designs that are compatible with context and the safeguarding of heritage assets such as conservation areas and listed buildings, I consider that they lend weight to my findings on the shortcomings of the proposal.
10. I conclude overall and on balance that the proposal would detract significantly from the character and appearance of the Great Dunmow Conservation Area, including the setting of an adjoining listed building. It would harm the general interests of amenity.
11. Thus consent should be withheld and the appeal dismissed on the grounds of significant detriment to general amenity.

G Garnham

INSPECTOR