
Appeal Decision

Site visit made on 19 September 2016

by Jonathan Manning BSc (Hons) MA MRTPI

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

Decision date: 26 September 2016

Appeal Ref: APP/C1760/Z/16/3154296

The Phoenix, 30 The Hundred, Romsey, Hampshire, SO51 8BW

- 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 Star Pubs and Bars against the decision of Test Valley Borough Council.
 - The application Ref 15/02560/ADVS, dated 18 October 2015, was refused by notice dated 11 May 2016.
 - The advertisements proposed are externally illuminated fascia signs, hanging sign, gable board sign and non illuminated amenity signs.
-

Decision

1. The appeal is allowed, in part, and express consent is granted for Signs A, C, D, E, F and G, as set out within the planning application form, at The Phoenix, 30 The Hundred, Romsey, Hampshire, SO51 8BW. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Main Issue

2. It was evident from my site visit that the advertisement signs are already in place. The main issue of the appeal is the effect of the advertisements on the amenity of the area, having regard to the appeal site's location within the Romsey Conservation Area, where special attention should be paid to preserving or enhancing the character or appearance of the area.

Reasons

3. The Council has drawn my attention to the development plan policies that are considered to be relevant to the appeal and I have taken them 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 Council's policies have not therefore, by themselves, been decisive.
 4. The proposal includes a number of signs and the Council has only raised concern with regard to Sign B on the small chamfered corner elevation of the building, as shown on Drawing Ref: 7557-Scheme 7.7.14 JW. As a result of my site visit, I see no reason to take a different view and I consider that all other signs are acceptable, with regard to their effect on the amenity of the area. I shall therefore focus my decision on the disputed Sign B.
-

5. The Phoenix public house occupies a prominent position within the street scene on the corner of The Hundred and Latimer Street. I observed that the appeal site is located within the shopping centre of the town. The public house itself is two storeys in height and has a pleasant appearance, being of simple design, rendered finish and with traditional sash windows. I am of the view that it makes a positive contribution to the Conservation Area.
6. Sign B is overly bold and is located on the prominent chamfered corner of the building above the entrance door. The sign is noticeably wider than the entrance door and as a result of its height and scale appears as an overly dominant feature in the street scene and detracts from the pleasant appearance of the building. Whilst I acknowledge that the sign now matches up with the bottom edge of the long band advertisement on the front elevation, this is not sufficient to overcome my concerns.
7. I must therefore conclude that Sign B causes harm to the amenity of the area and does not preserve or enhance the character or appearance of the Conservation Area¹. In terms of the National Planning Policy Framework, I consider that the harm caused to the Conservation Area as a whole is less than substantial and therefore the public benefits of the scheme need to be weighed against the harm. However, I have not been referred to any public benefits that outweigh the identified harm. The proposal therefore runs contrary to Policies E1 and E9 of the Test Valley Revised Local Plan (2016).
8. I acknowledge that the appellant has undertaken detailed discussions with the Council and its enforcement officer, who has supported the appellant in the appeal. However, such discussions are not sufficient to outweigh the harm that I have identified.
9. The Council has also raised concern with regard to the effect of Sign B on the host dwelling, which it considers to be a non-designated heritage asset. Whilst this is noted, it does not affect my overall conclusion that permission for Sign B should not be granted, I have therefore not considered this matter any further in my decision.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, Sign B causes harm to the amenity of the area and does not preserve or enhance the character or appearance of the Conservation Area. However, I consider that all of the other advertisements are acceptable in terms of their amenity and the Council does not dispute this matter. I have therefore issued a split decision and consequently, the appeal, in part, is allowed.

Jonathan Manning

INSPECTOR

¹ Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.