
Appeal Decision

Site visit made on 8 November 2016

by L Fleming BSc (Hons) MRTPI

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

Decision date: 14th November 2016

Appeal Ref: APP/C1950/Z/16/3153081

52 Howardsgate, Welwyn Garden City, Hertfordshire AL8 6BP

- 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 Ms Tracey Skea (Tapi Carpets) against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2016/0061/ADV, dated 15 January 2016, was refused by notice dated 31 May 2016.
 - The advertisement proposed is display of new shopfront signage, including 4 internally illuminated fascia signs and 1 x internally illuminated projection sign.
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Decision

1. That part of the appeal that relates to 3 internally illuminated fascia signs is dismissed. That part of the appeal that relates to 1 internally illuminated fascia sign and 1 internally illuminated projection sign (as shown on drawing page no 5, version 3 dated 9 January 2016) as applied for is allowed and express consent granted for their display. 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.

Preliminary Matter

2. At the time of my site visit the signage was already in place.

Main Issue

3. The main issue is whether the advertisements preserve or enhance the character or appearance of the Welwyn Garden City Conservation Area.

Reasons

4. The appeal premises are the ground floor of a building located on the corner of Fretherne Road and Howardsgate within the Welwyn Garden City Conservation Area (CA). In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
 5. The appeal site is a relatively large retail unit within a town centre. It is in a prominent position opposite public open space and has relatively long frontages to both Howardsgate and Fretherne Road.
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6. The shopfront signage of the majority of the premises nearby is fixed to a relatively large white fascia. Although there are subtle variations in fascia detail between buildings, a visible fascia painted white is a common feature of the majority of the shopfronts in the area. In my view, the continuity of such is a defining characteristic of this part of the CA.
7. Even though there are shopfronts nearby where the fascia has been covered by signage, none of those example are as prominently located as the appeal premises. I have also considered the photographs of the appeal premises in 2009 and 2014, which show advertisements which hang below the fascia board. However, the appeal signs are substantially larger and thus are not comparable.
8. The three fascia signs above the shop entrance and above the shop window either side of the entrance door almost completely cover the white fascia boards. The contrasting dark blue fascia signs leave only a narrow strip of white above the signs. These three fascia signs combined create a significant break in the continuity of the white fascia detail in the area and collectively are in stark contrast with the prevailing character of the other fascia signage in the area.
9. However, the fourth fascia sign and projecting sign attached to the Fretherne Road frontage maintain a significant length of the white fascia and appear subservient to it. Even though this fascia sign is deeper than the white fascia it is fixed to, I consider that this is not sufficiently noticeable.
10. Therefore overall, I find the three fascia signs above the shop entrance and above the shop windows either side of the entrance are harmful to the character and appearance of the area, therefore with regard to this aspect of the shopfront signage the character and appearance of the CA is not preserved and these adverts are harmful to amenity. However, the fourth fascia sign and projecting sign is not harmful to the character and appearance of the CA and is therefore not harmful to amenity.
11. I have had regard to the appellants comments with regard to the application of the guidance contained within Welwyn Hatfield District Plan Supplementary Design Guidance (2005) (SDG) and Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) (DP). However, whilst I have taken these into account as material planning considerations, Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations (2007) (as amended) states that a local planning authority shall exercise its powers in the interests of amenity and public safety.
12. Thus, the Council's policies and guidance have not been decisive in my determination of this appeal. However, as I have found three of the fascia signs to be harmful to amenity, they are also in conflict with Policies D1 and D2 of the DP and SDG, whereas the other signage is not.

Conclusion

13. For the reasons given above, having had regard to all other matters raised, I conclude that the three illuminated fascia signs above and either side of the entrance are unacceptable on amenity grounds, but the fourth illuminated fascia sign and the illuminated projecting sign are acceptable on amenity grounds.

L Fleming

INSPECTOR