
Appeal Decision

Site visit made on 22 November 2016

by Mike Fox BA (Hons) DipTP MRTPI

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

Decision date: 8th December 2016.

Appeal Ref: APP/F0114/Z/16/3159607

11 Southgate Place, Bath, BA1 1AP

- 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 Pret A Manger against the decision of Bath & North East Somerset Council.
 - The application Ref 16/03269/AR, dated 28 June 2016, was refused by notice dated 1 September 2016.
 - The advertisement proposed is display of 1 no. internally illuminated fascia sign and 1 no. externally illuminated projection sign.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the display of the illuminated signs, which have already been erected, on the amenity of the streetscene, including its effect on the character and appearance of the Bath Conservation Area.

Reasons

3. The appeal relates to a ground floor commercial property, operating as a coffee bar/café which is located within the city centre, Bath Conservation Area and World Heritage Site. It is located within the refurbished and pedestrianised Southgate area, which is defined by traditional, period architecture and terraced streets. Its vibrant, retail and commercial character includes a wide variety of signage.
4. The Appellant has drawn my attention to several illuminated signs in the vicinity of the appeal site, similar to the proposed signage, including signs which were allowed on appeal in 2011¹. Whilst I note that the assemblage of signs in close proximity to the appeal site can be argued to contribute to the vitality of the area, and hence to its viability, in a city with a renowned heritage such as Bath, the balance can be a fine one between conservation and the local economy.
5. The policy test for signage within the Conservation Area has been brought into detailed focus through the Council's adopted Guidance on commercial signage

¹ Appeal Ref. APP/F0114/H/11/2158940.

(and other aspects of streetscape) in 2016². This Guidance, which has been adopted following public consultation, promotes a more sensitive approach to signage and states that acceptable designs should incorporate one of the following signage options: painted lettering directly onto the fascia; raised solid painted lettering; solid lettering spaced from the fascia with halo lighting; or contemporary signage behind glazed shop units – and that internal illumination such as has been included in the proposal is not acceptable. I consider that the level of detail required in the 2016 Guidance is appropriate for such an area which lies within both a Conservation Area and a World Heritage Site and can be given substantial weight in my decision.

6. The appeal signage in my judgment fails to accord with the parameters which are set out in the new guidance, and as a result, fails to show the sensitivity which is required in such a location. This is in marked contrast, for example, to the Hollister signage at the next door property, which I consider to be appropriately sensitive to the character and appearance of the Conservation Area.
7. Taking the above considerations into account, it is my view that the proposal harms the amenity of the streetscene, and thereby the character and appearance of the Conservation Area. It is therefore contrary to both the Council's 2016 signage Guidance and also to the statutory requirement for development to either preserve or enhance the character or appearance of Conservation Areas³.
8. I have also taken into account policy BH.17 of the Local Plan⁴ which seeks to protect visual amenity and so is material in this case. Given I have concluded that the proposal harms amenity, the proposal conflicts with this policy.
9. For the reasons given above I conclude that the display of the illuminated signs which are the subject of this appeal is incompatible with the conservation status of the area, harmful to its character and appearance and therefore detrimental to the interests of amenity.

Mike Fox

INSPECTOR

² BANES: Bath Conservation Area-Commercial signage and tables and chairs on the highway: Design and Conservation Guidance; Adopted 2016.

³ The Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 (1).

⁴ Bath and North East Somerset Local Plan; Adopted October 2007.