

Appeal Decision

Site visit made on 4 January 2017

by D J Barnes MBA BSc(Hons) DipTP MRTPI

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

Decision date: 12th January 2017

Appeal Ref: APP/Z2830/Z/16/3159885

16 Little London, Deanshanger MK19 6HT

- 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 B Gilgil (Direct Pizza Company Limited) against the decision of South Northamptonshire District Council.
 - The application Ref S/2016/1457/ADV, dated 5 June 2016, was refused by notice dated 16 August 2016.
 - The advertisements are fascia and projecting signs for business premises.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the advertisements on the visual amenity of the surrounding area.

Reasons

3. The appeal property is a hot food take-away premises which forms part of a 2-storey block with 3 retail units at ground floor level and residential accommodation above. The property is situated at the junction of Little London and Springfield Gardens. The property is set back from Little London which is one of the principle routes through Deanshanger and is illuminated by streetlights. On the opposite side of Springfield Gardens is a large community centre with its associated car park and near-by are other non-residential premises, including a sports club. Surrounding these premises the predominant use is residential. The parties have identified that to the south east is the boundary of Deanshanger Conservation Area.
 4. The advertisements subject of this appeal have already been erected and comprise a fascia sign which extends across the full width of the property and a projecting box sign. Both signs are capable of being internally illuminated and the effect would be to illuminate the individual white letters and logo against a wood grain finish. The appellant claims that there is a commercial need for the signs but the Regulations require decisions to be made in the interests of amenity and public safety. Public safety is not raised in this appeal. Therefore, it is the issue of amenity which must be decisive in the determination of this appeal. Although they are not decisive because of the Regulations' requirement, I have taken into account Policy EV35 of the South Northamptonshire Local Plan (LP) and the associated Appendix A.
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5. The appeal scheme can be viewed from Little London, including the residential properties situated on the opposite side of the road. There is also a view of the signs from the near-by Conservation Area but this is limited. The other fascia associated with the adjacent retail premises are also seen.
6. Within the block, the adjoining convenience store possesses what appears to be a non-illuminated fascia sign and the other take-away premises has an illuminated fascia sign. Other advertisements include a small projecting sign for the 'National Lottery'. The previously externally illuminated fascia sign at the adjoining convenience store has now been removed. However, there are 2 external lights which appear to be directed at illuminating the parking area in front of the block rather than the sign. The status of these lights has not been advised to me.
7. The detailed circumstances of these other signs have not been provided and the Regulations allow me, when assessing a proposal to disregard other advertisements being displayed in the locality. In this case, the existing fascia signs are of some relevance in the context of the 3 retail units within the block and what is seen from the Conservation Area.
8. The fascia sign which has been erected above the property's display window and below the first floor window sill reflects the siting of other advertisements within the block. The fascia sign fits within the frame of the property and does not materially project forward from its frontage. The siting and size of the fascia sign does not detract from the visual amenity, character and appearance of the streetscene and surrounding area within which the block sits.
9. I acknowledge that the height of the fascia sign is greater than the other similar advertisements which are displayed. However, the height of this sign and the individual illuminated letters are not disproportionate in scale to the size of the property or of such a scale so as to be visually strident and thereby dominate the block. The impact of the illumination is partially off-set by the distance between the property and the carriageway of Little London, including the outlook of the occupiers of the dwellings fronting the opposite side of this road.
10. However, because of its size, siting and illumination the projecting box sign is a prominent and incongruous addition to the property and this block. This box sign does not comply with LP Policies EN35, AD1 and AD11. Further, cumulatively with the fascia sign, the projecting box sign results in an excessive level of illuminated advertisements that visually dominate the property and the block. For these reasons, the appeal scheme is detrimental to the character, appearance and visual amenity of the surrounding area.
11. The signs are noticeable from the Conservation Area. This matter alone is not a reason for this appeal to fail because of the context of the property within a block containing commercial uses at ground floor level and the separation distance from the Conservation Area boundary. For this reason, there is no conflict with LP Policy EV11 concerning development not adversely affecting the setting of a Conservation Area or views into/out of the area. However, for the other reasons given, there is unacceptable harm caused by the advertisements to the visual amenity of the surrounding area and, accordingly, it is concluded that this appeal should fail.

D J Barnes

INSPECTOR