

Appeal Decision

Site visit made on 24 January 2017

by J Bell-Williamson MA MRTPI

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

Decision date: 7 February 2017

Appeal Ref: APP/J1915/Z/16/3163108

77 Ware Road, Hertford, Hertfordshire SG13 7EE

- 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 Miss Elaine Alles (Ware Road Surgery) against the decision of East Herts Council.
 - The application Ref 3/16/1721/ADV, dated 25 July 2016, was refused by notice dated 20 September 2016.
 - The advertisement proposed is described as 'to display surgery name to enable patients to locate the building as it is not obvious it is a doctors surgery'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As the advertisement in the form of two free-standing signs is in place, I have dealt with this appeal as involving an application for retrospective consent.

Main Issue

3. The main issue is the effect of the advertisement on the amenity of the area and, in particular, whether it would preserve or enhance the character or appearance of the Hertford Conservation Area.

Reasons

4. The Hertford Conservation Area covers a significant part of the town's urban area. The three storey appeal property is situated on the busy Ware Road at the junction with Raynham Street.
 5. No 77 and the adjoining property form an attractive pair, the appearance of which is mirrored by the pair of properties on the opposite site of the Raynham Street junction. These have retained their original features, with red brick facades, two storey bays and architectural detailing. Despite the appeal property's current use as a doctors' surgery, this group largely reflects the predominantly residential character, appearance and use of buildings in this part of Ware Road.
 6. The advertisement in place is a free-standing sign facing Ware Road and a separate slightly smaller version of the same sign next to the junction with
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Raynham Street. The rectangular signs include lettering advertising the surgery in a blue band across the middle with a white background above and below this central feature.

7. While the signs fulfil their intended purpose of drawing attention to the building's current use, they are relatively large in relation to the scale of No 77, given both the size of the lettering and the extent of the white border to top and bottom. Consequently, the signs both individually but particularly in combination, appear out of proportion to the predominantly residential character of their setting. They are, therefore, an overly prominent feature that detracts from the character and appearance of the pair of dwellings and this part of the conservation area.
8. Their prominence is accentuated by the limited examples of other signage within the area. There is a large totem sign associated with a garage further down on the opposite side of Ware Road, but this is some distance away at the point where residential uses give way to the more commercial end of the road. The only other readily visible signs are those for a dentists' practice on the opposite side of the Raynham Street junction. However, these signs are more modest in scale and appearance and despite the fact that one is externally illuminated, those at the appeal property are by comparison more prominent and incongruous.
9. I acknowledge that the surgery requires external signage to advertise its use. However, I am required to consider the current proposal on its merits and cannot consider alternative options as referred to by the appellant; that properly is a matter for the Council. With regard to the highway safety concerns raised by an interested party, I note that the Highway Authority is satisfied that non-illuminated signs in this position would not be harmful, a view with which I concur.
10. Nonetheless, for all the above reasons, I conclude that the proposed advertisement has an unacceptably harmful effect on the amenity of the area and does not, therefore, preserve the character or appearance of the Hertford Conservation Area. Consequently, the appeal should not succeed. I have taken into account Policy BH15 of the East Herts Local Plan Second Review, which concerns the effect of advertisements in conservation areas and which, therefore, is material in this case. Given that I have concluded that the proposal would not preserve the character or appearance of the conservation area, it is contrary to this policy.
11. Accordingly, for the reasons given, the appeal should not succeed.

J Bell-Williamson

INSPECTOR