

Appeal Decision

Site visit made on 14 March 2017

by P G Horridge BSc(Hons) DipTP FRICS MRTPI

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

Decision date: 30th March 2017

Appeal Ref: APP/V4630/Z/17/3167457

187-189 High Street, Bloxwich WS3 3LH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the 'Regulations') against a refusal to grant express consent.
 - The appeal is made by Poundworld Retail Ltd against the decision of Walsall Council.
 - The application Ref 16/1520, dated 27 September 2016, was refused by notice dated 9 December 2016.
 - The advertisements proposed are an externally illuminated fascia sign and an internally illuminated projecting sign.
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Preliminary Matters

1. The advertisements concerned are already in place.

Decision

2. The appeal is dismissed.

Main issue

3. In accordance with the Regulations, decisions on these appeals can be made only on the grounds of the impact on amenity or public safety. No public safety issues have been raised, so the sole issue relates to the effect of the advertisements on amenity, having regard to their location in the Bloxwich High Street Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the decision maker shall pay special regard to the desirability of preserving or enhancing the character or appearance of the conservation area.

Reasons

4. There is no statutory requirement to make the decision in accordance with the development plan, although the Regulations do provide that the development plan shall be taken into account so far as it is material. Policy ENV29 of the Unitary Development Plan (UDP) deals specifically with conservation areas and reflects the statutory duty referred to above, while Policy ENV2 of the Black Country Core Strategy (CS) (2011) seeks to protect and enhance the distinctive character of the area. Policies ENV32 and ENV35 of the UDP deal more specifically with design and the appearance of commercial buildings
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- respectively. These policies are supplemented by more detailed guidance on shopfronts in the Shopfront Supplementary Planning Document (SPD) (2015).
5. The National Planning Policy Framework places great importance on protecting heritage assets such as conservation areas. Substantial harm to a heritage asset should generally be avoided (paragraph 133) but where there is less than substantial harm such harm should be weighed against the public benefits of the proposal (paragraph 134). Paragraph 67 of the NPPF notes that poorly placed advertisements can have a negative impact on the appearance of the built environment.
 6. The Bloxwich High Street Conservation Area covers the centre of the town, and is characterised by its commercial nature and by the grouping of buildings, many dating from the nineteenth century. The shop which is the subject of this appeal occupies two nineteenth century buildings of different architectural styles. While the ground floors of the buildings have been extensively remodelled to form one shop, the upper floors are distinctly different, retaining much of their original character and contributing to the appearance of the conservation area.
 7. The fascia sign is particularly prominent with large letters. It is significantly larger than most other fascia signs in the area. Its excessive scale and the size of its lettering detract from both the appearance of these buildings, particularly the distinctive upper floors, and the wider area.
 8. The projecting sign is an internally-illuminated block sign, whereas guidance in the SPD prefers external lighting and traditional hanging off metal brackets. This is particularly important in this location where the conservation area is deemed to be 'at risk' and where planning policy is directed towards restoring the traditional feel of the town centre. As such the projecting sign is also harmful to the appearance of the area.
 9. The appellant notes that the previous occupant of the premises also had a large fascia sign which remained in place for several years. However, it appears that this sign did not have consent. While there are other examples in the neighbourhood of large fascia signs and projecting signs, these serve to emphasise the adverse effect that such signs have on the appearance of the area.
 10. In the above respects, the signage fails to preserve or enhance the character and appearance of the conservation area, causing substantial harm, and has a detrimental effect on amenity. The appeal therefore fails.

Peter Horridge

INSPECTOR