
Appeal Decision

Site visit made on 29 March 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 21st April 2017

Appeal Ref: APP/Q3060/Z/16/3161311

Faradays (formerly known as Cape), 23-27 Victoria Street, Nottingham NG1 2EW

- 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 Stonegate against the decision of City of Nottingham Council.
 - The application Ref 16/01784/ADV2, dated 24 June 2016, was refused in part by notice dated 21 September 2016.
 - The advertisement proposed is one sign-written logo circle to curved wall 1700x1700mm.
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Decision

1. The appeal is allowed and express consent is granted for the display of one sign-written logo circle to curved wall 1700x1700mm as applied for. 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.

Procedural Matter

2. The Council issued a split decision in which express advertisement consent was granted for new fascia signs (Sign A) on each of the building's three frontages; projecting circular signs at first floor level on Victoria Street and Pelham Street frontages (Sign B), 2 x illuminated menu boards located on the front elevation (Signs D and E) and associated lighting fixtures (Signs F and G). The only element refused consent was Sign C, which was described as a signwritten logo circle to curved wall 1700mmx1700mm. For the avoidance of doubt this appeal relates only to Sign C, as set out in my final bullet point above.
3. It was evident from my site visit that all of the signage applied for, including Sign C, were already in place.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area having particular regard to whether it would preserve or enhance the character or appearance of the Lace Market Conservation Area (LMCA).

Reasons

5. The appeal site is a public house located within the LMCA in Nottingham City Centre. The area around the site is largely commercial, with a mix of business types, including shops, restaurants and a number of other pubs and bars. The historic street pattern, age and character of the buildings and their
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predominantly commercial nature are what appear to be the significant elements of the area's character. As a result of this, there is already a large amount of signage in the area, encompassing a wide variety of styles and positions on buildings.

6. The appeal site itself is a large and imposing four storey Victorian building which takes up a prominent position at the junction of Victoria Street, Pelham Street and Carlton Street. The disputed sign is painted on the wall at first floor level above a set of doors on the curved corner of the building at the junction between Pelham Street and Carlton Street.
7. This curve is an attractive feature of the building, from which the sign does not detract. It is well proportioned for the space it takes up and complements the curve and vertical emphasis of the building. There are no other signs on the building on this corner at this level and thus it appears as a discrete feature in an appropriate and logical location above one of the bar's entrances. It is not unusual to see a sign for a public house in such a location above a door way or on a corner. In this regard, it also adds a small element of visual interest to what would otherwise be a blank area of brickwork. The relative size of the sign, along with the design of the logo, ensures that it does not obscure a large area of the wall. It therefore appears as a relatively small and subtle feature in the context of the building as a whole. In my view, the sign does not alter or detract from any of the building's important architectural characteristics or diminish its importance to the street scene.
8. The sign is not visible from Victoria Street. While it can be seen from parts of both Carlton Street and Pelham Street, owing to the angle of the building to these streets, the curvature of the wall and its position on the corner of the building, it is not a dominant or conspicuous feature on either frontage. The painting of the sign directly onto the brickwork does not appear untoward or necessarily out of character with a building of this age, style or use. Neither does it appear incongruous in this location or amongst the wide variety of signage already on display in the wider area. Moreover, the degree of separation between this and other approved signage on the building ensures there is no clash in either style or location. I find therefore that the sign neither creates nor adds to any sense of clutter on the building.
9. The Council has suggested that the sign is not needed. However, the National Planning Practice Guidance¹ (PPG) states that unless the advertisement is harmful to amenity or public safety, consent cannot be refused on the basis it is considered unnecessary. As such, I have not given consideration to the need for the sign in my decision.
10. I therefore conclude that the advertisement does not have a negative impact on the appearance of the built environment. Accordingly the appeal proposal would preserve the character and appearance of the LMCA and cause no harm to visual amenity.

Conclusion

11. The Council has drawn my attention to Policies BE12 and BE19 of the Nottingham Local Plan (2005) and Policy 11 of the Aligned Core Strategy²

¹ Paragraph: 026 Reference ID: 18b-026-20140306

² Greater Nottingham Broxtowe Borough Gedling Borough Nottingham City Aligned Core Strategies Part 1 Local Plan – Adopted September 2014.

(2014) which it considers to be relevant to this appeal and I have taken them into account where material. I am mindful that powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety and these policies have not in themselves been decisive. However, given that I have concluded there would be no harm to visual amenity or the character or appearance of the LMCA, the proposal would not conflict with these policies.

12. For the reasons given above, I conclude that the appeal should be allowed.

S J Lee

INSPECTOR