
Appeal Decision

Site visit made on 27 March 2017

by Chris Forreth BSc(Hons) DipTP MRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/U4610/Z/16/3162551

38 Upper Precinct, Coventry CV1 1DE

- 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 Mrs Charlotte Mather of JD plc against the decision of Coventry City Council.
 - The application Ref ADV/2016/2100, dated 15 August 2016, was refused by notice dated 10 October 2016.
 - The advertisement proposed is described as a matt black Dibond fascia band with printed mesh graphic and illuminated lettering. Vinyl graphic to landlords temporary hoarding.
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Decision

1. The appeal is allowed and express consent is granted for the display of a matt black Dibond fascia band with printed mesh graphic and illuminated lettering. 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. At my site visit I saw the advertisements were already being displayed. The description of the advertisement also includes reference to a vinyl graphic to the landlords temporary hoarding. Given that the shop was already in operation and the signage applied for was on display, I have not considered the very limited details submitted in respect of the temporary hoarding signage.
3. The Regulations and the National Planning Policy Framework both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the policy it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policy has not, by itself, been decisive.

Main Issue

4. The main issue is the effect of the advertisement on amenity.

Reasons

5. The appeal site is located within the Upper Precinct shopping area which I understand was built between 1948 and 1956. The area comprises of a pedestrianised shopping area with shops at ground floor level with retail and other uses on the upper floors. The Council have indicated that the Precinct
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has been added to the Historic Environment Record and therefore the site must be considered to be a non-designated heritage asset.

6. From the evidence before me, the Councils objection to the advertisement is that it covers part of three Horton Stone pilasters with black diabond. It is claimed that this would significantly alter the appearance of a substantial part of the Precinct and injure the amenity of the area.
7. In this respect, it is acknowledged that over time changes have occurred to this area including two complete pilasters which have been overclad. However, the Council have indicated that these may not have benefitted from planning permission. From the pre-development photo submitted with the appeal, one of these covered pilasters was on the former Bank premises. At my site visit I saw signage at River Island which also covered part of the pilaster.
8. Notwithstanding this, to my mind, the location of the signage on the building, including the covering of part of the pilasters at the appeal property would not have any adverse effect on the amenity of the Precinct or the wider area. Furthermore, it would have effect the significance of this non-designated heritage asset. This is particularly the case as the part of the covered pilasters which is covered by the advertisement relate to are within a larger shop front for one unit as opposed to a boundary between retail units.
9. For the above reasons, the proposed advertisement would not be detrimental to the interests of amenity. Consequently, the proposal would accord with Policy BE17 of the City of Coventry Development Plan (2001) which amongst other matters seeks to safeguard the interests of amenity.

Conclusion

10. Taking all matters into consideration, for the reasons given above I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR