
Appeal Decision

Site visit made on 10 April 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 12 May 2017

Appeal Ref: APP/W0340/Y/16/3166911

24 Northbrook Street, Newbury RG14 1DJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by W H Smith against the decision of West Berkshire Council.
 - The application Ref 16/02203/LBC2, dated 8 August 2016, was refused by notice dated 15 November 2016.
 - The works proposed are the removal and installation of external signage.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by W H Smith against West Berkshire Council. This application will be the subject of a separate Decision.

Main Issue

3. The main issue in this case is the effect of the proposed external signage on the special architectural or historical interest of No 24 Northbrook Street, a Grade II* listed building.

Reasons

4. 24 Northbrook Street is a Grade II* listed building dating from the early 16th century. The listing notes that the property previously formed part of a courtyard complex which also covered Nos 22 and 23 Northbrook Street. The white painted façade to Northbrook Street was re-fronted in the early 19th century to ensure matching fenestration details with the adjacent No 23. The building has a northern timber framed gabled elevation to Marsh Lane which has jetties to 1st floor and attic, and herringbone nogging to the same areas.
 5. Although the façade to Northbrook Street has a modern shopfront, the recessed sash windows, matching the fenestration to No 23 in form and proportions, and the distinctive jetties to the 1st floor and attic are clearly evident in views from this busy pedestrianised shopping street and all form part of the buildings special interest.
 6. At the time of my visit the Northbrook Street façade had a reasonably sized sign located in the centre of the shopfront fascia which stands slightly proud of the wooden fascia, with a hanging sign set on the left hand side. This hanging sign was set on an ornamental bracket. Both signs are in purple with white lettering. The proposal seeks to paint the whole fascia board purple and install
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- white finished individual aluminium letters to spell the shop's name. These letters would cover the majority of the fascia. A projecting sign to side would be installed on two simple straight brackets.
7. The size of the overall sign would be larger than many neighbouring examples, and the extent of the lettering and the purple painted fascia would dominate the white painted façade of the building, detracting from the simple elevation and the distinctive jetties to side. The materials of the sign, in finished aluminium would also appear out of place on the historic building. In doing so the proposal would also fail to preserve or enhance the historic character and appearance of the Newbury Town Centre Conservation Area to which the building makes an important contribution.
 8. Paragraph 132 of the National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposal on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset, and as they are irreplaceable, any harm should require clear and convincing justification. For the reasons given above I consider the proposal would result in harm being caused to the significance of this listed building. However, and particularly as the works would only affect a small part of the less significant northern façade of the building and are reversible, I am satisfied that the degree of harm caused would be less than substantial.
 9. In such situations paragraph 134 of the Framework states that the harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. The sign would attract people to the shop, catching the eye and informing passers-by about the goods the shop retails. However, such a purpose could equally be carried out by a more appropriate sign, and the shop appears to be in productive use. Consequently what public benefits there might be are insufficient to outweigh the harm caused. The proposal would also be contrary to policy CS19 of the Core Strategy¹ which states that regard will be given to the conservation of heritage assets.
 10. I note that advertisement consent for the same proposal has been granted on appeal². However, in this case I am required to have regard to the statutory duty under s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requiring decision makers considering whether to grant listed building consent to have special regard to the desirability of preserving the listed building or any features of special architectural or historic interest which it possesses. Furthermore, the policy in paragraphs 131-134 of the Framework does not need to be considered when determining advertisement consent appeals in relation to a listed building but does apply to the appeal in this case, made under section 20 of the Act.
 11. When applying such considerations I conclude that the proposed external signage would have an adverse effect on the special architectural or historical interest of No 24 Northbrook Street, a Grade II* listed building. I can appreciate that this is at odds with the advertisement consent appeal decision, and indicates that I have disagreed with my colleague. However, as stated above, the appeal before me stands to be considered under different legislation

¹ West Berkshire Core Strategy 2006-2026, July 2012

² APP/W0340/Z/16/3144560, 2 August 2016

and policy than an advertisement consent appeal does, which are only subject to control in the interests of amenity and public safety.

12. For the reasons given above I conclude that the appeal should fail.

Jon Hockley

INSPECTOR