
Appeal Decision

Site visit made on 8 May 2017

by David Wildsmith BSc(Hons) MSc CEng MICE FCIHT MRTPI

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

Decision date: 17 May 2017

Appeal Ref: APP/X1118/Z/16/3165339

60 Boutport Street, Barnstaple, EX31 1SH

- 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 Poundworld Retail Ltd against the decision of North Devon District Council.
 - The application Ref 61923, dated 27 September 2016, was refused by notice dated 23 November 2016.
 - The advertisement proposed is the installation of 1 externally illuminated fascia sign and 1 internally illuminated projection sign.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The fascia sign and projecting sign were both in place at the time of my visit.

Main issue

3. Whether the display unit respects the character or appearance of the Barnstaple Town Centre Conservation Area.

Reasons

4. The appeal premises lie within the Barnstaple Town Centre Conservation Area which covers much of the town centre, including Boutport Street and the nearby High Street, both of which contain predominantly commercial properties of varying styles and designs. The submitted evidence indicate that the appeal premises previously operated as a "Store Twenty One", but that this previous occupier has now gone into liquidation and that the premises are now sub-let to Poundworld.
5. The appellant has commented that as Poundworld only completed legal occupation of the premises at a late stage, it replaced the existing signage on a "like for like" basis, without discussing the proposals with the Council, and without realising that the previous tenant had failed to obtain consent for its signage. For its part, the Council indicates that it is seeking a consistent approach to advertisements within the town centre, and is trying to ensure that appropriate signage solutions are achieved, especially when new tenants are secured for properties.
6. In this regard the Council has drawn my attention to the document "Development Control Guidelines for Shop Fronts and Shop Signs" which it adopted in 1983. Whilst clearly now a dated document, it seems to me to contain sound guidance aimed at improving the quality of the environment and preventing shops and

shopping centres within the district from being adversely affected by designs which clash with and detract from existing features. I have therefore taken this guidance into account as a material consideration.

7. That said, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors, a point which is reinforced by paragraph 67 of the Nation Planning Policy Framework. In my determination of this appeal the Council's guidance document has not, therefore, of itself, been decisive. In reaching my decision I have, however, paid special attention to the desirability of preserving or enhancing the character or appearance of the Barnstaple Town Centre Conservation Area.
8. The appeal property occupies a corner position at the junction of Boutport Street and Wells Street and is noticeably wider than the shop units in the listed building to the north. Because of this the fascia sign, which extends for the full width of the building and is predominantly of a bold blue colour (matching the shop front itself), forms a fairly prominent feature in the street-scene. It is clearly visible from lengths of Boutport Street and High Street, even though the building is set back somewhat from the neighbouring properties to both north and south. Nevertheless, I consider that the basic design and appearance of the fascia sign itself is appropriate and acceptable on the host building, and in this regard I note that the Council's Conservation Officer reached a similar view.
9. However, the fact that the sign is externally illuminated sets it apart from the vast majority of other such signs I saw within the town centre, and puts it at odds with the Council's guidance document referred to above, which states that illuminated fascias will not be permitted. The only exception referred to in this guidance document is for those premises which regularly open after 1800 hours. That is not the case for the appeal premises, but does apply in the case of the Tesco Express store in High Street, which is open from 0600 hours to 2300 hours on a daily basis. In these circumstances this Tesco Express signage does not set a precedent for the appeal signage, as claimed by the appellant.
10. Furthermore, the submitted evidence appears to indicate that the former occupiers of the premises did not have a projecting sign, whereas an internally illuminated projection sign is now in place at the appeal premises. Again, I consider that whilst the basic form and design of this sign is acceptable, the fact that it is internally illuminated increases its prominence within the street-scene, and puts it in conflict with the aforementioned guidance.
11. I am satisfied, however, that because of the juxtaposition of the signage and windows to letting rooms of the adjacent hotel, there is unlikely to be any unacceptable impact on the living conditions of people occupying these rooms. Moreover, although the projection sign overhangs the footway, it does not impede passers-by and I am therefore satisfied that it raises no public safety concerns.
12. But notwithstanding my favourable findings on these latter points, for the reasons given above I conclude, overall, that the appeal signage is unduly prominent in the street-scene and fails to respect the character or appearance of the Conservation Area. The appeal is therefore dismissed.

David Wildsmith

INSPECTOR