

Appeal Decisions

Site visit made on 18 May 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 7th June 2017

Appeal Ref: APP/J1915/W/17/3166771 (Appeal A)

70 Fore Street, Hertford SG14 1BY

- 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 Mr S Hibbert against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2196/ADV, dated 21 September 2016, was refused by notice dated 8 December 2016.
 - The advertisement proposed is 'illuminated fascia and hanging signs'.
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Appeal Ref: APP/J1915/Y/17/3166773 (Appeal B)

70 Fore Street, Hertford SG14 1BY

- 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 Mr S Hibbert against the decision of East Hertfordshire District Council.
 - The application Ref 3/16/2229/LBC, dated 22 September 2016, was refused by notice dated 8 December 2016.
 - The advertisement proposed is 'illuminated fascia and projecting signs'.
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Decisions

1. Appeal A and Appeal B are dismissed.

Procedural Matters

2. Appeal A and Appeal B relate to the same site. Whilst I have considered each proposal on its own merits, given that they are similar proposals, and in the interests of brevity, I have dealt with them in one document.
3. A fascia and hanging sign have been erected at the appeal site and the appellant explains that the appeal applications are intended to relate to those advertisements. The Council has determined the appeal applications on that basis. I intend to do the same.

Main Issues

4. Whether the fascia and hanging signs :
 - preserve the special architectural or historic interest of the grade II listed building and its setting; and
 - preserve or enhance the character or appearance of the Hertford Conservation Area.
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Reasons

5. The appeal site includes a grade II listed building, situated within a terrace of historic buildings, which form a prominent street frontage in the town centre. Despite having been altered throughout its history, including the possible addition of a shop front and its alteration throughout time, its historic fabric, elegant proportions and balanced composition, as a whole, contribute to the listed building's significance as a heritage asset.
6. The setting of the listed building includes its close relationship with the other historic buildings in the terrace. Although with some variation in height, detailed design and roof form, they display some similarity in age, general form and scale; matters that together contribute to the listed building's setting.
7. The Conservation Area includes the town centre, with its commercial and retail uses and its stock of historic buildings, to which the appeal site positively contributes. Signage is generally low key and relates appropriately in size, design and materials to the buildings on which it is situated. This contributes to the generally restrained character of the street scene.
8. Regardless of its actual size, the fascia sign is large in relation to the appeal building. It sits very close to the first floor windows, such that it appears squashed and oversized. Further, it projects forward of the frontage of the building and appears bulky and prominent, which is apparent in views when progressing along Fore Street.
9. The hanging sign is also large in relation to the limited space between the two first floor windows. In addition, its internal illumination, its modern lettering and means of attachment to the appeal building, render it out of place with the historic features of the listed building. As it sits close to an existing metal bracket, the small space between the two first floor windows appears cluttered. All in all, together, the fascia and hanging sign appear as modern oversized additions to the listed building and detract from its historic character. Further, they jar against the generally low key advertisements on buildings in the terrace and detract from the street scene. Even though the window displays may distract passers-by from scrutinising the appeals signs, that matter does not overcome my concern for the harm I have identified.
10. As I have found that the appeal building positively contributes to the Conservation Area, and that the appeals result in harm to the listed building and its setting, it follows that they fail to preserve the character or appearance of the Conservation Area.
11. In coming to these conclusions, I have had regard to signs approved in 2014, brought to my attention¹. However, that permission/consent does not include an illuminated hanging sign; a matter that differentiates those approvals from the appeals before me. I have also considered whether planning conditions, in particular relating to the use or removal of the existing bracket for a hanging sign, could overcome my concerns, but consider none could. I have also considered the views of the Council's case officer brought to my attention. However, those are not binding upon the Council and I have based my conclusions on the decision of the Council. I acknowledge that the appeal signs would enable the appellant to advertise a business. However, this could be

¹ 3/14/0580/LB and 3/14/585/AD

achieved in a manner that would not result in the same level of harm. All in all, these matters, together, do not alter my conclusions.

12. I conclude that the appeal advertisements fail to preserve the special architectural or historic interest of the appeal listed building and its setting and fail to preserve the character and appearance of the Hertford Conservation Area. They therefore do not accord with Policies BH14 and BH15 of the East Herts Local Plan Second Review (2007) (LP). Those policies, together, in relation to shopfronts and advertisements in conservation areas, aim to maintain the highest quality environment consistent with commercial and economic considerations. Whilst the Council's decision notice for appeal B, refers to LP Policy BH5, I find that policy, relating to unlisted buildings in conservation areas, not to be directly relevant to the appeals before me.
13. The appeal proposals would also fail to accord with section 12 of the National Planning Policy Framework (the Framework), which aims to conserve and enhance the historic environment.
14. In relation to appeal A, whilst I have identified that there is conflict with the above Development Plan policies, that matter is material rather than decisive to my decision. However, it serves to reinforce the findings that I have reached above.

Public Benefits

15. In accordance with paragraph 132 of the Framework, I accord great weight to the conservation of designated heritage assets. I consider that the harm to the significance of the listed building and the Conservation Area identified would be less than substantial, a matter to which I attach considerable importance and weight. However, in this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, sufficient to outweigh that harm.

Conclusions

16. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR