

Appeal Decision

Site visit made on 14 June 2017

by G P Jones BSc(Hons) MA MRTPI

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

Decision date: 28 June 2017

Appeal Ref: APP/B1605/Z/17/3174026

23 Bath Street, Cheltenham, Gloucestershire GL50 1YA

- 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 Paul Saunders, Surelet Cheltenham Ltd against the decision of Cheltenham Borough Council.
 - The application Ref 16/02062/ADV, dated 15 November 2016, was refused by notice dated 23 February 2017.
 - The advertisement proposed is described as Back light display fascia signs across shop front.
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Decision

1. The appeal is dismissed.

Preliminary Matters

1. Powers to control advertisements under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 may be exercised only in the interests of amenity and public safety, taking account of any material factors. The Council does not consider that there are any public safety matters that arise as a result of this proposal and I concur with that view. At the time of my site visit the fascia sign was in place, as indicated in the Council's Delegated Officer Report.

Main Issue

2. Therefore the main issue is the effect of the proposal on the amenity of the area, having particular regard to its location within the Central Conservation Area.

Reasons

3. The proposal relates to the shopfront of the Surelet commercial property that is located on the ground floor of the building. The building lies within the Central Conservation Area (CCA). This part of the CCA is characterised by the shopfronts of a number of commercial properties on the ground floor and white or cream-coloured front elevations above with sash windows, and which exhibit an overall uniformity of design.
 4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA). The Council's Shopfront Design Guide (SDG), adopted as a
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Supplementary Planning Document in February 2007, provides guidance on considerations pertaining to shopfronts. The SDG states among other matters that shopfront fascias should not extend beyond the shopfront surround, should be positioned well below the cills of first floor windows and should not obscure architectural features. Furthermore, the size of fascias should be in proportion with the rest of the shopfront and the whole building, and the fascia top should normally be stopped off by a cornice or other projecting feature.

5. The proposed fascia sign extends across the entire width of the building to the outer edges of the pilasters, and by virtue of its height it also extends beyond the existing shopfront surround. The lettering of the fascia is internally illuminated and the fascia protrudes out from the front elevation of the building to a noticeable degree. Therefore I consider that it fails to respect the proportions of both the rest of the shopfront and the overall building. Due to the sign's scale and positioning some of the existing architectural detailing on the front elevation of the building is obscured as well as part of the first floor window cills. Consequently, I consider that the fascia sign conflicts with the aforementioned principles of the SDG, to which I attach significant weight.
6. The appellant contends that the signs of both Taylors Estate Agents and Peter Ball & Co Estate Agents are larger and deeper than that which it has erected. I concur that the sign for Peter Ball & Co Estate Agents is both large and prominent. However, it is set within the context of a larger building and the fascia sits further below the first floor window cills. The Taylors sign sits well below the first floor window cills and is more in proportion with its host building.
7. Furthermore, the appellant contends that the softwood façade of the appeal building is recent and of no historic interest or value. However, the fascia sign clearly obscures some of the architectural detail of the host building thus giving rise to a negative effect in terms of overall amenity. The appellant has provided a photograph of a similar fascia on its Hemel Hempstead branch. However, I do not know the full context of this signage including whether or not it lies within a conservation area and the relationship with the signage on nearby buildings. As such I afford limited weight to this.
8. There are a few examples of large shopfront signage in the locality, notably Peter Ball & Co Estate Agents. However, generally the nearby signage is more restrained in size and does not protrude from the front elevation to the degree of the proposal that is before me. This includes the signage for both Andrews and Philip Pugh that are located on either side of the appeal property. I consider that the proposed fascia signage is of a scale and design that obscures some of its architectural features and appears out of proportion with the host building, thus serving to draw the eye to an unacceptable degree.
9. Therefore it is my view that the proposal gives rise to a harmful effect on the amenity of the existing building and the CCA. As such it is contrary to Section 72(1) of the Act. I have also taken into account the SDG and saved Policies CP7, BE12 and BE13 of the Cheltenham Borough Local Plan Second Review, adopted 2006. Taken together these policies seek to ensure, among other matters, that development including signage respects an area's character, does not harm visual amenity and in conservation areas is of a type, design and location that is appropriate to the character of the building and the surrounding

area and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these saved policies.

Conclusion

10. Therefore for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed

GP Jones

INSPECTOR