
Appeal Decision

Site visit made on 14 June 2017

by B Bowker Mplan MRTPI

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

Decision date: 29 June 2017

Appeal Ref: APP/U4610/Z/16/3159621
10 Smithford Way, Coventry CV1 1FX

- 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 Wayne Knee against the decision of Coventry City Council.
 - The application Ref ADV/2015/3660, dated 26 October, was refused by notice dated 2 September 2016.
 - The advertisement proposed is display of 1 internally illuminated exterior fascia sign, 1 non illuminated fascia sign (1000mm x 9000mm) and vinyl window graphics.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council issued a split decision in which express advertisement consent was granted for the display of 1 internally illuminated exterior fascia sign and vinyl window graphics. This appeal relates to the refusal of the 1 non illuminated fascia sign (1000mm x 9000mm).
3. Accordingly, the description of advertisement used above is taken from the Council's decision notice which more accurately reflects the advertisements proposed and the split consent as appealed.

Main Issue

4. The Regulations¹ 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. The Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
5. Accordingly, the main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

6. The appeal site comprises a café located on Smithford Way where retail is the predominant use. The comparatively large scaled West Orchards Shopping Centre abuts the northern boundary of the site. However, the appeal site retains a visual presence in the street scene. Retail signage in the surrounding

¹ At Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007

area is predominantly at single storey height, and in the case of adjoining premises to the south, mostly below the height of the canopy.

7. During my site visit I saw that the sign is unlike any other in the vicinity. This includes the window graphics advertisement at the adjoining property which is of a different design and thus has a more discrete appearance than the proposal. The proposal is of a temporary material, at a two storey height and is unrelated to the appeal premises as it spans the width of the neighbouring retail unit. These factors make it a prominent and incongruous feature when viewed from the adjoining pedestrianised section of Smithford Way and Market Way.
8. I have viewed the submitted picture of the windows prior to the erection of the sign. I do not agree that the windows were unsightly. Moreover, the windows have a more discreet appearance than the proposed sign.
9. I have also considered concerns regarding footfall levels and empty units. However, during my visit I saw that the vicinity had a good level of footfall and a limited number of empty units. Moreover, these factors, including the payment of business rates, do not justify or remove the harm to visual amenity identified above.
10. Therefore I conclude that the advertisement has a harmful impact on the visual amenity of the area.
11. I have taken into account Development Plan saved Policy BE17 which seeks to safeguard amenity and so is material in this case. Given that I have concluded that the proposal would harm visual amenity, the proposal would conflict with this policy.

Conclusion

12. For the reasons given above, and having taken all matters raised into account, I conclude that the appeal should be dismissed.

B Bowker

INSPECTOR