

Appeal Decision

Site visit made on 27 June 2017

by K Taylor BSc (Hons) PGDip MRTPI

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

Decision date: 3rd July 2017

Appeal Ref: APP/P1133/Z/17/3170897

JP Sibley and Sons LTD, Town Hall Garage, Fore Street, Bovey Tracey, Devon TQ13 9AE

- 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 Scott Sibley (JP Sibley and Sons LTD) against the decision of Teignbridge District Council.
 - The application Ref 16/02212/ADV, dated 8 August 2016, was refused by notice dated 9 January 2017.
 - The advertisement proposed is described as “business Advertisement”.
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Decision

1. The appeal is dismissed.

Procedural matters

2. It was evident from the appeal documentation and my site visit that the advertisement has already been erected. The appellant has indicated that, in the event that I am minded to dismiss the appeal on the basis of the sign as it is in situ, alternative proposals to either lower the sign or provide a number of smaller signs would also be acceptable. However in the absence of definitive proposals with attendant submitted plans, I consider that it would be inappropriate for me to formally consider any revised scheme.

Main Issue

3. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

1. The appeal site is located within the Bovey Tracey Town Centre and Mary Street Conservation Area (the CA) and I am required to pay special attention to the desirability of preserving or enhancing its character and appearance. The CA, close to the appeal site, is primarily characterised by properties that front onto Fore Street and Town Hall Place. Many of the properties have commercial uses at ground floor level. The majority of the signage in the locality is limited to modest fascia and small projecting signs. There are a number of listed buildings nearby including the Town Hall, 3 and 4 Town Hall Place, 15 Town Hall Place (including 82 Fore Street), and the King of Prussia Inn. I have considered the main issue in this appeal with due regard to the existence of these heritage assets which contribute to the amenity of the locality.
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4. The appeal advertisement is made up of two signs, but it appears as a single large advertisement. It is attached to the gable of the adjacent property. Its scale is such that it appears as a dominant feature on the wall. The advertisement is larger than other existing signage in the locality. As such it appears harmfully out of keeping with the character and appearance of the CA, the signage within it, and it harms the setting of the nearby listed buildings. Consequently it is harmful to the visual amenity of the area.
5. Policies S1, S2, EN5, and EC9 of the Teignbridge Local Plan 2013-2033 require that heritage assets are protected and that development does not harm the character and appearance of the area. I have had regard to these policies in so far as they are material; as I have found the advertisement to be harmful to visual amenity there is also conflict with them.
6. I have noted the evidence that shows that historically painted signage has been present on the gable wall. It appears that was a considerable time ago and the effect of painted signage does not have the same impact on the character of the area as the large attached advertisement that is now present. I have also been provided with photographs of other signage for a garage business. I do not have full details of the circumstances surrounding those advertisements, however it is apparent they are not in the immediate area and therefore they do not persuade me that the appeal scheme is acceptable.
7. I have noted the importance of the signage to the appellant's business; however I am not convinced that this is the only means of effectively advertising the business and the services it provides. I note the appellant is seeking to have the gable wall re-rendered to improve its appearance, and that the business has sought to support several local initiatives and encourage local trade. I have taken these factors into account but they do not alter my conclusion in relation to the main issue of this appeal. The result of the referendum in respect of the Country's membership of the European Union does not affect the application of planning legislation in respect of advertisements and as such this also does not alter my conclusion on this appeal.
8. For the reasons given above I conclude that the advertisements would be detrimental to the interests of amenity and that the appeal should be dismissed.

K Taylor

INSPECTOR