
Appeal Decision

Site visit made on 22 June, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 4th July, 2017

Appeal Ref: APP/X1545/Z/17/3169073

Left Front Office, 65B High Street, Maldon, CM9 5EP

- 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 Ian Jones, TFP Financial Planning Ltd. against the decision of Maldon District Council.
 - The application Ref: ADV/MAL/16/01137 dated 7 October, 2016 was refused by notice dated 22 December, 2016.
 - The advertisement proposed is replacement of existing signs due to change of company name and regulatory authority.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. No description of the proposed advertisements is given in the application form, and I have therefore used the description given in the Council's decision notice, with some minor adjustments in the interests of clarity.
3. The business on the first floor has an existing, relatively modest rectangular sign sitting below first floor window level, a projecting sign and a small plaque adjoining the entrance door, although the evidence before me suggests that these do not benefit from express consent. The appeal proposal is for their replacement with a fascia sign, projecting sign and plaque adjoining the entrance door. The Council has partly approved the application, allowing express consent for the plaque sign. The appeal therefore relates only to the fascia and projecting signs.

Main Issue

4. The signs would be static, and the main issue is therefore the effect on the visual amenity of the area.

Reasons

5. The appeal building is a traditionally designed, two storey building within the commercial frontage of Maldon High Street and within the Maldon Conservation Area. The appellant's business is located on the first floor, with a separate entrance on the left hand side of the frontage. The ground floor to the right of this is a separate commercial building, SpecSavers Opticians, which has a

- centrally located, traditionally designed shopfront incorporating a fascia board and with a hanging sign above it.
6. The submitted drawing indicates that the proposed fascia sign would be over three metres in length and over 800mm in depth. It would be in a bright blue colour and containing text relating to details of the business.
 7. Fascia signs relating to other businesses in the conservation area are generally restrained in size and colour and follow a traditional configuration, sitting within the framework of a related shopfront. They contain little text beyond the name of the business. The proposed sign would be a separate, free floating fascia, and would be set in a prominent location above the framework of the existing shopfront. As a result of its size and positioning therefore, combined with its size, bright colour and busy design, it would appear obtrusive and incongruous, and would harm the character of the area and of the conservation area.
 8. The hanging sign would project just over half a metre from the front of the building and would be around 400mm deep. Because of its size and prominent location, and its bright colour and design it too would be harmfully prominent and obtrusive.
 9. Paragraph 132 of the National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I have identified harm to the Maldon Conservation Area, and conclude that it is less than substantial harm. Paragraph 134 of the Framework requires that such harm be weighed against the public benefits of the proposal, but as I have identified no public benefits, and none have been put before me, I conclude that there are none to outweigh the harm which would be caused.
 10. The appellant is concerned that other signs in the High Street are visually intrusive in nature, but it appears to me that the majority are of a scale and design appropriate to the conservation area, and this does not therefore cause me to change my assessment of the appeal. In any case, every case should be determined on its own merits.
 11. The appellant is also concerned that the Council has allowed advertising on a sex shop, but the nature of a business is not a relevant consideration in determining whether or not an advertisement has an acceptable effect on visual amenity.

Conclusion

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

S J Buckingham

INSPECTOR