

Appeal Decision

Site visit made on 20 June 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 12th July 2107

Appeal Ref: APP/P2935/Z/17/3171400

2 Prince Edward Road, Tweedmouth TD15 2EX

- 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 Pets at Home PLC against the decision of Northumberland County Council.
 - The application Ref 16/03131/ADE, dated 5 September 2016, was refused by notice dated 13 February 2017.
 - The advertisement proposed is new retail signage to comprise of 7 fascia signs, 1x set of 4 poster frames, 3x sets of window vinyls and 1x deliveries panel.
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Decision

1. The appeal is allowed and express consent is granted for the display of new retail signage to comprise of 7 fascia signs, 1x set of 4 poster frames, 3x sets of window vinyls and 1x deliveries panel as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The signs hereby approved shall not be illuminated when the premises are closed for business.

Procedural Matter

2. Plans have been submitted with the appeal showing additional signage to that proposed on the original application. There is no evidence that the plans were before the Council during their consideration of the original application. I consider the plans shows a material change and the Council and other parties have not had the opportunity to comment on them. Therefore, in the interests of fairness and natural justice, I have considered the appeal on the basis of the plans determined by the Council (External Proposals Sheets 1 Rev C, 2 Rev and 3 Rev C dated 2 December 2016).
3. At the time of my site visit, several advertisements had been placed on the building. However, the advertisements in situ do not reflect the proposed plan with some absent and others in different positions. I have therefore determined the appeal on the basis of the plans determined by the Council, not the advertisements currently in place.

Main Issue

4. The main issue is whether the display of the advertisements would be detrimental to the interests of amenity.
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Reasons

5. The appeal site comprises a large building on the approach to Prince Edward Bridge – a key route into the town of Berwick-upon-Tweed and one which carries a regular flow of traffic. The site lies outside but close to the Tweedmouth Conservation Area.
6. The building is currently in use as a pet shop with the sale of associated retail goods. Consent is sought for the display of an internally illuminated fascia sign on the northern elevation measuring 8m x 4m, with a 4m x 4m fascia sign on each of the eastern and southern elevations. In addition, consent is sought for a further four fascia signs measuring 2.5m x 1.25m, 4 poster frames, several window graphics, internally applied vinyls and a 1m x 0.55m deliveries instruction panel to the rear.
7. The site lies in an area which is predominately characterised by residential properties. At a height equal to or in some instances greater than surrounding houses, and with a flat roof design, the building is a prominent and somewhat discordant feature. Nevertheless, it is a clear product of its retail function.
8. Whilst undoubtedly the advertisements would be prominent and draw attention to the eye, they would nevertheless assimilate well with the functional appearance of the building. Utilising a muted colour palette of greens with white text and blue with red text, the advertisements, including the poster frames and glazing graphics, would cover around 21% of the building's external surface area. The signs are also evenly spaced in their placement and there is a wide degree of variation in size. Indeed, I agree with the appellant that they add some interest to what would be an otherwise large expanse of unrelieved built form.
9. As a result, I am satisfied that, in the context of what is already an anomalous retail building, the advertisements do not appear unduly dominant nor do they material alter the character of the area from a residential area to a retail one. To that end, I find the advertisements do not unduly harm the setting of the Tweedmouth Conservation Area.
10. Both parties have suggested a condition that the advertisements should not be illuminated during hours when the shop is not open. I agree that such a condition would be necessary to ensure light spill does not unduly harm the living conditions of nearby residents.
11. I conclude, therefore, that the advertisements would not be detrimental to the interests of the amenity of the area.

Conclusion

12. For the reasons given above, I conclude that the appeal should be allowed.

Jason Whitfield

INSPECTOR