
Appeal Decision

Site visit made on 28 June 2017

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/B1740/Z/17/3169754

6 Southampton Road, Lymington, Hampshire SO41 9GG

- 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 J Glover against the decision of New Forest District Council.
 - The application Ref 16/11517, dated 31 October 2016, was refused by notice dated 23 December 2016.
 - The advertisement proposed is an externally illuminated fascia sign.
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Decision

1. The appeal is dismissed.

Main Issue

2. The fascia sign, which is already in place, is a timber sign painted dark grey with 'Glover and Hobbs' in gold lettering illuminated by three gooseneck lights with a shiny gold finish. The Council has no objection to the timber sign itself. The main issue is the effect of the gooseneck lights on the character and appearance of the area.

Reasons

3. The appeal site is a shop adjacent to a signal controlled pedestrian crossing opposite Waitrose at the junction of two principal roads in the town centre. It is situated close to the Thomas Tripp Public House and 5-57 Southampton Road all of which are listed buildings and within Lymington Conservation Area.
4. Due to their shiny gold appearance the gooseneck lights attract the eye even during the daytime and I agree with the Council that they detract from the simple lines and traditional character of the shopfront. The fact that they are affixed to the wall at the level of the first floor window sills exacerbates their adverse impact on the building's front elevation.
5. I note that the Council's Shopfront Design Guide Supplementary Planning Guidance states (on page 21) that lighting should be used sparingly and that the adjoining shopfronts are unlit. I did not see the degree of illumination given by the lights because I visited the site during the daytime but the site is adjacent to the pedestrian crossing and in my experience such crossings are generally well lit; the crossing is in my view close enough to the shopfront to ensure the fascia sign would be likely to be adequately lit at night without necessarily needing its own lighting. As such I am unconvinced by the appellant's arguments for lighting the shopfront in this way.

6. I acknowledge that the gooseneck lights illuminate only the name of the shop and that the sign itself and makeover of the shopfront is an improvement to what was previously there. But for the above reasons I consider that the lighting harms the character and appearance of the Conservation Area, albeit that the site is far away enough from the above listed buildings not to materially detract from their settings.
7. The appellant cites several other illuminated signs in the town centre to justify the gooseneck lights. However, the fact that there are similar lights does not justify these if they fail to preserve the overall character of the Conservation Area.
8. The gooseneck lights to the Taxis in Queen Street and the rather dated down lighters to the adjacent Fish & Chip shop and Chicken & Kebab House are obviously prime examples of the sort of lights which should not now be allowed. They are in any case some distance away from the appeal premises such that the character of the immediate area cannot be said to match them. The down lighters on the Thomas Tripp PH are also old but fairly low key as is the lighting to the pub's hanging sign.
9. The down lighter to Elliotts in the High Street is subtle and unobtrusive, as shown by the photograph in the appellant's statement. The gooseneck lights to the restaurant at 9 Gosport Street are not in my opinion comparable because they look as if they have been there for some time, are black and regressive in the street scene rather than shiny gold and prominent and are sited well below the first floor window sills.
10. For these reasons the above lights cited by the appellant do not justify the retention of the three gold gooseneck lights at the appeal premises. I have taken into account Policies CS2 and CS3 of the Core Strategy and Policy DM1 of the Local Plan Part 2 which together seek to protect amenity including local distinctiveness and the character and appearance of Conservation Areas and so are material in this case. The retention of the gooseneck lights would fail to comply with these Policies, and the relevant parts of the National Planning Policy Framework (Sections 7 and 12), for the above reasons.
11. For the reasons given above I conclude that the illumination of the fascia sign in this way would be detrimental to the interests of amenity and the appeal should be dismissed.

Nick Fagan

INSPECTOR