

Appeal Decision

Site visit made on 12 July 2017

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

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

Decision date: 21 July 2017

Appeal Reference: APP/D1780/Z/17/3174689 40-50 Above Bar Street, Southampton SO14 7GW

- 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 Sports Direct.com Retail Limited against the decision of Southampton City Council.
 - The application (reference 16/01564/ADV/A315, dated 13 September 2016) was refused (in part) by notice dated 16 March 2017.
 - The signage proposed (and for which advertisement consent has been refused) is identified in Southampton City Council's notice of refusal in the following terms: *"The 3 x high-level, internally illuminated "USC" façade mounted signs (identified as Sign 3 on Drawing No. 1, Revision 1, dated 27/05/2016, and shown without an identifier on Drawing No. 1, Revision 0, dated 27/05/2016), and the high level non-illuminated ribbon sign across the full width of the frontage (shown without an identifier on Drawing No. 1, Revision 2, dated 22/07/2016)".*
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Decision

1. The appeal is dismissed.

Preliminary point

2. The decision notice that was issued by Southampton City Council contained a split decision, granting advertisement consent for certain items of signage but refusing consent for others. This appeal concerns the signage for which advertisement consent was refused by Southampton City Council, although it is already in place. The description in the header to this Decision has been taken from the City Council's notice, for the avoidance of doubt.

Main Issue

3. In relation to this advertisement consent appeal, the legislation makes it clear that the powers conferred by the Regulations may be exercised only in the interests of amenity and public safety; the Development Plan may be a material consideration but cannot be determinative. No objections have been put forward in relation to safety issues in this appeal. Thus, the main issue to be determined in the appeal is the visual impact of the advertisements for which consent is now sought.

Reasons

4. The appeal site is located in the centre of Southampton, with a principal elevation in Above Bar Street, within the pedestrian shopping precinct and opposite the entrance to the Westquay shopping mall. This part of Above Bar Street is a broad pedestrian precinct, with major retail and commercial outlets along its frontages that are typically characterised by bright, contemporary shop fronts with modern signage. Above the shop fronts, however, the original elevations have generally been retained.
5. The appeal site at numbers 40-50 Above Bar Street is a substantial unit, although it does not extend through to Vincents Walk at the rear, according to the submitted Ordnance Survey site plan. The building is architecturally significant in the streetscene, with imposing stone clad elevations, and it has been identified as a "locally listed" building by the local planning authority.
6. In its entirety, the signage scheme that was considered by the City Council (and for which advertisement consent was granted in part) included signs on the elevation to Above Bar Street, with one sign at higher level on a building to the rear, facing a public park across Vincents Walk.
7. Among other things, the 'National Planning Policy Framework' emphasises the aim of "requiring good design" in the broadest sense (notably at Section 7) and it points out the importance of creating an attractive streetscape. It is aimed at achieving good design standards, which includes recognising the importance of "non-designated" heritage assets, such as "locally listed" buildings.
8. An emphasis on the importance of good design is also to be found in the Development Plan, notably in the City of Southampton Local Plan Review (where Policy SDP24 specifically relates to advertisements).
9. The signage for which advertisement consent has been refused is located at high level on the host building, making a bold claim for the attention of passers-by. It is out of keeping with its host building and, thus, it detracts from the streetscene. Moreover, the high level signage on the façade of the "locally listed" building obscures the architectural qualities of the building itself.
10. I am conscious that the appeal scheme could bring some economic benefits but I have no doubt that it does cause visual harm to the surroundings and that it conflicts with the aim of protecting visual amenities. Hence, I have concluded that the signage which is the subject of this appeal ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR