
Appeal Decision

Site visit made on 22 August 2017

by R J Jackson BA MPhil DMS MRTPI MCMI

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

Decision date: 04 September 2017

Appeal Ref: APP/G1250/Z/17/3178948

29 - 36 Westover Road, Bournemouth BH1 2BZ

- 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 Miss Tracey Darbey, Butterfield Signs against the decision of Bournemouth Borough Council.
 - The application Ref 7-2017-3428-CE, dated 4 May 2017, was refused by notice dated 16 June 2017.
 - The advertisement proposed is fascia, projecting and vinyl advertisements.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was made for the display of advertisements at both ground floor level around the entrance to the building and at higher level. The Council issued a 'split' decision granting express advertisement consent for all the advertisements at ground floor level but refusing consent for those higher up on the building. This appeal deals only with those refused consent.
3. The submitted drawings show a photograph of the "existing" building showing a number of advertisements in similar positions as to those the subject of the appeal. These were not on display at the time of my visit. The parties indicate that these advertisements were displayed for some years, but I have been given no indication that they benefitted from either express or deemed consent. I can therefore only assume that they did not have such a consent and have approached the appeal on that basis.

Main Issue

4. The main issue is the effect of the proposed advertisements on amenity.

Reasons

5. The appeal building is located on the northeast side of Westover Road opposite the Lower Pleasure Gardens. Buildings in the area, including the appeal building, have shops or other active frontages at ground level and multi-storey and wide façades spanning several shop units above, with the two elements divided with a horizontal canopy or band. With one exception further to the southeast this horizontal band is blank.

6. The appeal building has one of these wide upper façades. Above the blank horizontal band there is a row of windows with five ziggurat-shaped windows above. The windows are framed in concrete with polished granite for the remainder of the façade. The building is locally listed and is thus a non-designated heritage asset. There is some dispute as to the significance of the building, but I found it an attractive building demonstrating well the Art Deco architecture of the late 1920s/early 1930s.
7. One of the most noticeable features of the buildings in the area is the almost complete lack of advertisements above ground level¹ on this side of Westover Road. This leads to a 'clean' or unadorned appearance so that the architecture of the buildings can be fully appreciated. The very few signs that exist close to the appeal building do not detract from those buildings being at a very small scale which only takes up a very small part of the windows.
8. The proposed advertisements would infill the vast majority of the end two ziggurat-shaped windows and two horizontal sections of the next two in. While they would fit within the windows they would have a harmful effect on the building in that they would mean that the appreciation of the façade would be reduced and result in harm to the architecture of, and thus the significance of, the building and thus the visual amenities of the area.
9. The signs would also be harmful to the amenities of the wider area, including the setting of the nearby Old Christchurch Road Conservation Area along Westover Road. This is because they would create bright elements in an otherwise unadorned, and from a colour perspective, muted street scene above street and shop front level.
10. The appellant has referred to proposals within the Town Centre Area Action Plan for the redevelopment of this area. However, I have not been provided with any details of what this might involve and can only base my decision on the evidence in front of me and what I saw at the site visit.
11. The appellant has indicated that it would be possible to display similar advertisements on the insides of the windows. However, as the appellant acknowledges, this would make them indistinct. They would therefore have a lesser effect on amenity than the advertisements the subject of this appeal.
12. While the display of advertisements can support existing businesses and thus aid economic activity, this must be weighed against the harm I have identified above, and I conclude that the balance lies with the dismissal of the appeal.
13. I have taken into account Policies CS39 and CS41 of the Bournemouth Local Plan: Core Strategy, Policy 4.3 of the Bournemouth District Wide Local Plan (2002) and Policy D4 of the Town Centre Area Action Plan which seek to protect amenity including the setting of Conservation Areas and the contribution that locally listed buildings make to the local scene and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies. It would also be contrary to paragraphs 67 and 135 of the National Planning Policy Framework which indicate that poorly designed advertisements can have a negative impact on the appearance of the built environment, and that a balanced judgement will

¹ I noticed a series of small advertisements at the top of the windows on the building to the left hand side, and a more substantial "Winter Gardens Hotel" advertisement along the road towards Gervis Place, and an advertisement high up on one of the buildings towards the Bath Hill roundabout.

be required having regard to the scale of any harm and the significance of the non-designated heritage asset.

Conclusion

14. For the reasons given above, and taking into account all other matters raised, I conclude that the display of the advertisements would be detrimental to the interests of amenity.

RJ Jackson

INSPECTOR