

Appeal Decision

Site visit made on 23 August 2017

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 05 September 2017

Appeal Ref: APP/H2835/Z/17/3177229

31 Midland Road, Wellingborough, NN8 1HF

- 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 Niwan Limited against the decision of the Borough Council of Wellingborough.
 - The application Ref WP/17/00087/ADV, dated 12 February 2017, was refused by notice dated 10 April 2017.
 - The advertisement proposed is a shop front sign comprising 3mm black aluminium composite panel (9550mm x 800mm); 3D letters front aluminium composite with LED light inside (580 mm height; 12V transformers; 1.4W per module; 300 lm per foot). The side and front are welded together, and inside of the letter is foamex same size and screwed by the side of the letter. This Foamex is screwed to the back aluminium panel. No way to come off.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The advertisement the subject of this appeal is already in place. This appeal follows the refusal of a planning application for retrospective consent.
3. The advertisement contains 580mm high letters, lit by internal LED lights with contrasting halo lighting beneath the lettering, situated above the restaurant window and entrance door, spelling out "Niwan Restaurant."

Main Issue

4. The main issue in this case is the effect of the advertisement on visual amenity, with particular regard to its effect on the Wellingborough Town Centre Conservation Area.

Reasons

5. The appeal property forms part of a terrace of two storey properties along Midland Road. It is situated within a predominantly commercial area and other properties in the terrace are in commercial use.
 6. The appeal property is situated in a prominent position along Midland Road and is clearly visible from Midland Road itself, as well as from the approach from Commercial Way, to the south. It is located within the Wellingborough Town Centre Conservation Area, which is characterised by the presence of attractive period properties, including the Court House on the opposite side of Midland
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Road to the appeal property, modest Victorian terraced properties and large, brick-built, commercial buildings, such as the nearby shopping centre and its associated car park. Feature railings, street trees, grassed open spaces and appropriate street furniture, all combine with these properties to create an attractive environment.

7. During my site visit, I observed there to be a wide range of advertisements within the vicinity of the appeal property. Some of these appear unduly boxy, overly dominant and/or garishly illuminated and result in visual clutter that detracts from the qualities of the Conservation Area.
8. The appellant, in support of his case, has provided examples of other advertisements, the majority of which appear detrimental to their surroundings. In this regard, I am mindful that the Council is seeking to instigate a programme of appropriate enforcement action against a number of signs in the vicinity, with the aim of making a positive contribution to the character of the Wellingborough Town Centre Conservation Area.
9. The sign the subject of this appeal has forward-projecting, internally illuminated lettering, which is brightly coloured with aluminium edging. It stretches across much of the width of the shop and results in a sign that appears visually prominent in views from various angles and locations. I find that the effects of this combine with the prominent location of the appeal property to result in a sign that draws the eye to such an extent that it unduly dominates its surroundings.
10. The harmful impact of the above is apparent even when the sign is unlit, such that the projecting lettering with its aluminium edging, adds significantly to the visual clutter along Midland Road. The presence of further signage around the front door adds to the undue prominence and cluttered appearance of the development. Consequently, whilst the appellant is supportive of a condition to reduce the brightness of the lighting and to turn off halo lighting to the lettering, I find that this would fail to reduce the overall harm of the advertisement to a significant degree.
11. The appellant, in support of his case, considers that the sign the subject of this appeal is visually similar to the sign that it replaced. However, the evidence provided shows that that previous advertisement appeared considerably different in a number of ways, including overall size. There is no substantive evidence before me to demonstrate that it was so similar to the sign the subject of this appeal as to be directly comparable.
12. Taking all of the above into account, I find that the advertisement is detrimental to visual amenity. This is contrary to the Framework, to Wellingborough Town Centre Area Action Plan (2009) policy WTC6 and to the Wellingborough Town Centre Shop Front and Advertisement Design Guide (2009), which together amongst other things, seek to protect local character.

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR