

Appeal Decision

Site visit made on 31 May 2019

by G Jenkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2019

Appeal Ref: APP/C1950/Z/19/3222330

Brookmans Wines, 95 Bradmore Green, Hatfield, Hertfordshire, AL9 7QT

- 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 Kiranjot Kaur against the decision of Welwyn Hatfield Borough Council.
 - The application Ref 6/2018/2586/ADV, dated 5 October 2018, was refused by notice dated 9 January 2019.
 - The advertisement proposed is retention of 1 x fascia LED externally illuminated static sign board.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The sign has already been erected and the proposal is therefore retrospective in nature.
3. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

4. The main issue in this appeal is the effect of the signage on the visual amenity of the area.

Reasons

5. The appeal site comprises a three-storey building within Bradmore Green. The appeal relates to the ground floor unit, which is currently occupied by an off-licence named Brookmans Wines. The area consists of an attractive village green and shopping parade with a number of independent stores and large public house opposite the site.
6. The proposal is for the retention of 1 x LED externally illuminated static signboard. The sign replaces a previous sign that the appellant says was dangerous for electrical reasons. The sign is of a scrolling nature however the appellant has now placed it on static mode.

7. There are a number of shops in the terrace that accommodates the appeal building. All have fascia signs outside and the beauty salon next door to the shop also has a small illuminated sign in the window that says 'nails'. The appellant considers these to be more harmful than the appeal sign, however, I find that the large illuminated fascia sign would be completely out of keeping with the signage on the other shopfronts which is neither protruding or illuminated and illuminated 'nails' sign is very small in comparison.
8. The sign is an LED display board, which has a maximum illuminance level of 800cd/m, and the Council state that it measures approximately 3 metres in width and 0.6 metres in height. The sign is required to advertise the activity of the premises. The proposed display board has the appearance of a bolt-on addition. This is because it does not extend across the full width of the shop front. For these reasons the size and position of the sign does not respect the architectural features of the building.
9. The LED display board is not in keeping with the design of the shop frontages in the immediate area and does not sit comfortably with the elevation and building in which is attached. This would be the case even if the luminance were reduced. As such it is unduly prominent and detracts from the character of the street scene. The sign does not extend the full width of the shop and this along with the protrusion of it appears out of keeping and inconsistent with other nearby shop frontages. I accept that this is not highly obvious during the night time when it is dark, however, during the daytime it appears unsightly and out of keeping.
10. I am aware that the sign has been installed professionally and has been fixed with safety precautions and weather proof flashing to prevent electrical faults, however, this does not overcome the harm that the signage will result in to the character and appearance of the area.
11. For the above reasons, I conclude that the proposal would be detrimental to the interests of visual amenity. It therefore fails to comply with Policies D1 and D2 of the Welwyn Hatfield District Plan (2005) and the Supplementary Design Guidance (2005), which seek to protect amenity and so are material in this case. Given I have concluded that the proposal is harmful to amenity, it also conflicts with these policies and guidance.

Other Matters

12. It seems highly unlikely that the illuminated sign will reduce criminal activity in the area. I accept that there are some small illuminated signs in the vicinity for the site, however, I do not consider these comparable and have therefore given these little weight in the decision making process.
13. I note that the appellant is dissatisfied with the manner in which the Council have dealt with the applicant however this is not a matter for me to consider and I have made my decision based on the planning merits of the case.
14. I am conscious of the importance of local independent businesses in areas such as this, however, that consideration does not justify a visually detrimental sign such as this.
15. I acknowledge that the appellants stocks a wide range of produce and that much of this is stored in the front window of the shop. However, I am unconvinced that this results in a need for a large illuminated sign on the shop

front and the internal layout and store format is not a matter for consideration in the determination of this appeal.

Conclusion

16. For the reasons given above I therefore conclude that this appeal should be dismissed.

Gemma Jenkinson

INSPECTOR