



Appeal Decision

Site visit made on 20 August 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2019

Appeal Ref: APP/Q3305/Z/19/3230293

107 High Street, Street BA16 0EY

- 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 Raj Manek, Loungers Ltd against the decision of Mendip District Council.
 - The application Ref 2019/0248/ADV, dated 4 February 2019, was refused by notice dated 9 April 2019.
 - The advertisement proposed is 'Installation of new fascia signage, hanging sign and menu board'.
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Decision

1. The appeal is allowed and express consent is granted for the display of new fascia signage, hanging sign and menu board as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. At the time of my site visit, I saw that the advertisements had been erected. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the signs on the amenity of the area and the character and appearance of the Street Conservation Area (CA).

Reasons

4. Fronting High Street, the appeal site is situated in the town centre and is within the Street CA. As the town's principle shopping street, High Street and this part of the CA are characterised by generally traditional, two-storey buildings with the majority containing ground-floor shops and other commercial uses. There are various shopfront designs, signage and advertisements on High Street. The appearance and design of advertisements vary in terms of type, size, materials and illumination, and involve a mixture of modern and more traditional designs. This includes, amongst other aspects, some menu boards, numerous and varied projecting/hanging signs, and a mixture of fascia signs made of various materials. On my site visit, I also observed a variety of internally and externally illuminated signs and some fascias with raised lettering. However, despite these variations, the streetscene has a generally harmonious appearance and it is an attractive, traditional high street characterised by commercial activity and associated advertisements.

5. The proposed advertisements are relatively small and respect the proportions and character of the building. Their size, materials, unobtrusive fixing and general design, including the mixture of traditional painted wood and projecting lettering, do not appear discordant in their own right or incongruous in relation to the surrounding area and the mixture of advertisements on High Street. Although projecting, the lettering on the front fascia is relatively discreet given its limited size. I observed on my site visit that the advertisements also appear from the public realm to be of a high quality and respect the condition and appearance of the shopfront and building as a whole.
6. All the signs involve illumination. However, with concealed internal lights for the menu board, halo illumination for the fascia lettering, and directional spotlights on the hanging sign, the illumination is relatively modest and discreet, and is incorporated into the overall design of each element. In the context of the busy high street with its various illuminated advertisements and street lighting, the illumination is also not significant and it seems to me that it would not be noticeably different to the lighting of other advertisements in the area. Accordingly, the illumination would not be excessive nor have a cumulatively inappropriate effect on the amenity of the area, including with respect to light pollution.
7. I have taken into account the provisions of the development plan, so far as they are material, in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
8. For the above reasons, I conclude that the advertisements do not have a harmful effect on amenity and preserve the character and appearance of the Street CA. Accordingly, I find that the proposal would not conflict with Policies DP1, DP3, DP7 and DP8 of the Mendip District Local Plan Part 1: Strategy and Policies 2006-2029. Amongst other aspects, these require high quality proposals which are appropriate to the local context, protect amenity, do not give rise to unacceptable adverse environmental impacts including light pollution, contribute positively to local identity and distinctiveness, and preserve the significance and setting of heritage assets. The proposal would also be broadly consistent with the provisions of paragraph 132 of the National Planning Policy Framework and, from the evidence before me, the general guidance contained in the Council's Shopfront Design Guide. Amongst other aspects, that seeks the sparing use of illumination and advertisements and signs which respect the character and style of the building and are appropriate within the streetscene.

Conclusion

9. For the above reasons, the appeal is allowed. In doing so, I note that no non-standard conditions have been proposed and I consider that none are necessary.

Tobias Gethin

INSPECTOR