



Appeal Decision

Site visit made on 18 September 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 November 2019

Appeal Ref: APP/H1515/Z/19/3224236
73 High Street, Brentwood CM14 4RW

- 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 Burger King against the decision of Brentwood Borough Council.
 - The application Ref 18/01821/ADV, dated 16 November 2018, was refused by notice dated 18 January 2019.
 - The advertisements are described as 2 internally illuminated fascia text, 2 internally illuminated fascia logos and 1 internally illuminated projection signs.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The advertisements had already been installed prior to my site visit, and I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the advertisements on the visual amenity of the area having regard to whether they preserve or enhance the character or appearance of the Brentwood Town Centre Conservation Area (CA).

Reasons

4. Paragraph 132 of the National Planning Policy Framework February 2019 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. No issue has been raised by the Council in terms of public safety, and I see no reason to disagree with this.
5. National planning practice guidance specifies that amenity is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and whether an advertisement is in scale and in keeping with important scenic, historic, architectural or cultural features in the locality.
6. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. The building has two frontages, with one on Brentwood High Street and one facing William Hunter Way. The advertisements that are the subject of this appeal are sited over both entrances. The whole of the building, including both frontages, lies within the CA.
8. The High Street is a commercial road with businesses on both sides, each with its own shopfront and advertisements. While there is considerable variety in the style and finish of advertisements, fascia signs in the immediate vicinity of the site are generally relatively muted in appearance, degree of illumination and materials and the size of lettering is typically small in comparison to the size of the sign. This results in uncluttered frontages and this approach preserves the historic character of the CA.
9. The individual letters of the advertisements subject to this appeal are large and take up a proportionately greater area of the building's fascias than is typical for either street scene, resulting in a cluttered and unsympathetic appearance. This effect is compounded by their internal illumination, and the inclusion of roundels to both fascias and a projecting sign to the High Street frontage. The overall effect unacceptably harms the street scene.
10. The appellant has referred to two appeal decisions¹ allowing advertisements in Brentwood High Street, as well as to other signs in the vicinity. I have reviewed these appeal decisions and viewed the properties as part of my site visit. However, there are differences in the details of those sites and the appeal site, and in the advertisements allowed and proposed, in particular the proportions of the advertisements and nature of illumination. I can therefore only afford them limited weight in considering this appeal. In any event I have determined this appeal on its individual merits.
11. The advertisements therefore result in harm to the visual amenity of the area and fail to preserve or enhance the character or appearance of the Brentwood Town Centre CA. I have taken into account saved policies CP1 and CP14 of the Brentwood Replacement Local Plan (2005) which seek, amongst other things, to protect amenity and the significance of designated heritage assets. They are material in this case. Given that I have concluded the appeal scheme results in harm to amenity and the CA, it conflicts with these policies.

Conclusion

12. For the reasons set out above, the appeal is dismissed.

M Chalk

INSPECTOR

¹ APP/H1515/Z/17/3176647 and APP/H1515/Z/16/3162732