The Planning Inspectorate

Appeal Decision

Site visit made on 4 November 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA (Hons) BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2019

Appeal Ref: APP/W1525/Z/19/3234246
1 Bridge Street, Writtle, Chelmsford CM1 3EY

- 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 Mr Rajesh Chouhan of Pakwaan Indian Punjabi Cuisine against the decision of Chelmsford City Council.
- The application Ref 19/00507/ADV dated 25 March 2019, was refused by notice dated 7 June 2019.
- The development is described as three internally lit signage boards.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the development on the amenity of the host property and the Writtle Conservation Area (CA).

Procedural Matters

4. The three internally lit signage boards are already present at the host property. The appeal is therefore for retrospective express consent. The signs were not illuminated at the time of my site visit.

5. During my site visit I observed a fourth oval shaped sign, on the east side of the property facing the car park, that also appeared to be internally lit. This sign is not referenced by the appellant or the Council in their documentation and has therefore not been considered further in this appeal decision.

Reasons for the Recommendation

6. The host property is a restaurant located in a prominent position on Bridge Street, adjacent to the junction with Lodge Road and opposite St Johns Green. Bridge Street is a busy thoroughfare. There is an estate agents on the opposite side of the road to the host property, but the remainder of the buildings in the vicinity are residential and include a group of listed buildings (31-33 St Johns Green).

7. The host property is a relatively historic red brick building. The main part of the building is two storeys, but the property also includes some single storey elements behind the main façade. The three internally lit signage boards are positioned in different locations on the host property. One is on the front elevation of the main building, off centre between two of the first floor windows directly opposite St Johns Green. The second is located on the east side of the main building, at first floor level just below a chimney stack and the third sign is located on a single storey part of the building, on the west side, fronting Lodge Road.

8. The host property is located in the Writtle CA. The CA reflects the historical growth of the village and includes a variety of architectural styles. The main focus of the village and the CA is the historic village greens, Greenbury Green (known as The Green) and St. Johns Green. Whilst the Council state that the host property is visible from both Greens, I observed on my site visit that the host property and signage is largely obscured from views from The Green by buildings located on the south side of The Green. However the host property and sign on the front façade is clearly visible from St Johns Green.

9. Due to the size, elevated position and modern appearance of the signs on three facades, they appear harshly on this prominent building and discordant with its historic appearance in views of the building when approaching from any of the surrounding roads, including from St. Johns Green. They detract from the appearance of the host property and the CA. This harm would increase when the signs are illuminated as they would appear more noticeable, and appear as distinctly commercial features contrasting with the surrounding residential development. The development therefore fails to preserve or enhance the CA. This view is supported by the Writtle Village Design Statement which states that generally in the CA illuminated signs are not appropriate.

10. The appellant has drawn my attention to another restaurant in the CA that features illuminated signage (Olio On The Green). However, this restaurant is a more contemporary looking building, in a different setting and the signage is of a different style and appearance. Moreover, there is only one illuminated sign there. On this basis, this has little influence on my consideration of this case.

11. Whilst the appellant asserts that the projected lumen levels, distance from the road and height from the ground of the signs are within the legal requirements, no evidence has been provided to support this. However, even if this is the case it would not change the harm that has been found to occur.

12. The three internally lit signage boards are harmful to the amenity of the property and the area. I have had regard to Policy DC17 of the Core Strategy and Development Control Policies Our Planning Strategy for the Future Development Plan Document 2001-2021 (February 2008) which seeks to ensure development proposals in Conservations Areas preserves or enhance the character or appearance of the Conservation Area. As the adverts harm amenity, they conflict with this policy.

Conclusion and Recommendation

13. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR