
Appeal Decision

Site visit made on 16 March 2020

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2020

Appeal Ref: APP/Y1945/Z/19/3243070
intu Watford, Watford WD17 2UB

- 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 intu Properties Plc against the decision of Watford Borough Council.
 - The application Ref 19/00725/ADV, dated 20 June 2019, was refused by notice dated 18 October 2019.
 - The advertisement proposed is Consent to display 1 no. internally illuminated digital media screen on Beechen Grove above the entrance to King's Car Park (amended description).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the planning application form although I note it is expressed differently on other documents. In addition, the proposal was amended during the course of the Council's consideration of the application by omitting a full motion digital media screen as originally proposed. It appears from the appellant's Explanatory Note that a revised description of the proposed advertisement has been agreed between parties. I have, therefore, used the updated description of the proposed advertisement in the banner heading above as this sets out what is proposed and to which the Council determination relates and reflects the development description used by the Council in its decision notice.
3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out that advertisements are subject to control only in the interests of amenity and public safety. In this case the Council's refusal decision relates solely to matters pertaining to amenity. I have, therefore, limited myself to those matters that are in dispute.

Main Issue

4. The main issue relating to this appeal is the effect of the proposed advertisement upon amenity, that being the character and appearance of the host building and wider streetscene.

Reasons

5. The intu centre has a large façade at Beechen Grove. The façade incorporates brickwork and cast stone detailing, elevated matching metal grilles and fenestration, metal grilles at the ground floor entrances, as well as a large metal grille feature above the car park access. The brickwork, cast stone, fenestration and grille detailing have a degree of uniformity to their colour and appearance.
6. This elevation is an extremely prominent facade clearly visible from the adjoining highways and near-by highway junctions. The existing grille above the car park entrance is a large feature within this Beechen Grove façade. It contributes to the collective detailing of this façade, all of which gives this elevation its distinctive appearance. Whilst there are existing advertisements on this elevation it is low key taking the form of applied individual lettering.
7. The proposed media sign would occupy the area of the existing large grille feature above the car park entrance and obscure this feature that contributes to the current continuity of the detailing and appearance of the elevation. The advertisement would be a large, illuminated feature that would not relate to the current appearance of the building's façade, including that of existing advertisements. Therefore, it would be out of keeping.
8. The proposed digital media sign would significantly detract from the distinctive character of this building. Its size, elevated position and illuminated display would be visually harmful to the appearance of the building despite it having a large facade. As can be seen from the photographs submitted in support of the appellant's Grounds of Appeal, this visual harm arising would be clearly apparent to the public using the adjoining busy highways from which the sign would be a dominant feature on the façade and be prominently visible. Although the area is commercial in nature the visual harm arising from the advertisement would have a negative visual impact upon the wider streetscene.
9. Furthermore, the proposed advertisement would not relate well to the existing low-key advertisements in this location and would be an unacceptable proliferation of signage on this facade. I acknowledge that it would be possible to adjust the brightness of the advertisement, however I consider the proposal to be unacceptable for those reasons I have given.
10. I note that the proposed advertisements would not be located within a conservation area and the building is not listed. Furthermore, the proposal would be acceptable in terms of public safety and would showcase community, cultural and civic information. Whilst these are merits of the proposal, they do not outweigh my concerns above relating to its visual impact.
11. I have been referred to an appeal relating to a freestanding advertisement display with internal illumination at Exchange Road, Watford. However, that advertisement was an advertisement of a different type in a different location to that of the appeal proposal. As such, different considerations will have applied in that case. This proposal can and should be considered on its own merit.
12. For those reasons given above, I conclude that the proposed advertisement would be harmful to amenity, that being the character and appearance of the host building and wider streetscene. I have taken into account Policy UD1 of

the Watford Local Plan Core Strategy 2006-2031, saved Policy U25 of Watford District Plan 2000 and the provisions of the National Planning Policy Framework which seek to protect amenity. These policies are a material consideration in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

Conclusion

13. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR