
Appeal Decision

by Rory MacLeod BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2020

Appeal Ref: APP/Z2260/Z/20/3246028
6-7 Cecil Square, Margate, Kent CT9 1BD

- 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 Ms Kelly Stacey against the decision of Thanet District Council.
 - The application Ref A/TH/19/1391, dated 14 October 2019, was refused by notice dated 6 December 2019.
 - The advertisement proposed is to install and display 2 non-illuminated fascia signs fixed with back brass locators and studs.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The signs the subject of this appeal are already in place and consent is sought for their retention. Consent has previously been refused for the signs under reference A/TH/18/1687. A 'purple lozenge' underlining one of the signs at that time has been removed in the current proposal.
3. A site visit has not been undertaken. Assessment of the proposal has been made from information in the appeal submissions including photographs.

Main Issue

4. The main issue is the effect of the signs on the visual amenity of the area.

Reasons

5. The signs have been fixed between the first and second floors of the building and relate to a publishing company 'Community Ad' which occupy these floors. Cecil Square comprises predominantly commercial buildings many of which have business signage. Nos. 6-12 Cecil Square are listed buildings, 4 storeys in height, that occupy the north-western angle of the Square. The site is located within the Margate Conservation Area.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This requires consideration of the impact of the proposal on the surrounding area; the impact on the listed building is of particular importance.

7. The signs comprise letters formed from dense white acrylic up to 0.58m high and extending for a width of 9.5m across the site. Their base is 8.3m above ground level. The white colour to the signs contrast with the red brick on the building but matches the white frames to the window openings and the colour of other signs nearby. The signs, whilst centrally positioned between the first and second floor windows, partly cover the decorative brickwork above the first floor windows. The building is part of a Georgian terrace displaying a regular rhythm of window and door openings in classic proportions. It makes a positive contribution to the appearance of the conservation area. The signs have a disruptive and negative impact on the uniform appearance of the building and of the terrace by reason of the size, siting and design of the letters.
8. There are several signs on buildings around Cecil Square, but these are generally smaller in scale and positioned lower on the building, frequently at ground floor fascia level, compared with the appeal proposal. This also applies to the recently approved signage for occupiers of the ground floor at 6-7 Cecil Square. The proposed signs appear disproportionately large and high in comparison with other signage. They are unduly conspicuous across the wide open space of Cecil Square and detract from the appearance of the conservation area.
9. The appellant has submitted photographs of historic high level signs within Cecil Square. These relate to times well before designation of listed building status. Current proposals must be considered in the light of current planning policies. A photograph has also been submitted of high level lettering on 'The Flamingo', but this building has a different context on the sea front.
10. Paragraph 132 of the National Planning Policy Framework, (the Framework), states, "*The quality and character of places can suffer when advertisements are poorly sited and designed*". I consider that to be the case here but that the harm to the significance of the conservation area to be less than substantial. In these circumstances Paragraph 196 of the Framework requires the harm to be weighed against public benefits.
11. The appellant points out that the signs have been of great assistance in recent identification and growth of the publishing business. Moreover, that the business makes a positive contribution to the economy of this part of Kent, an area that has suffered economic deprivation. There are tentative plans to expand into and refurbish the third floor of the building which has been neglected. The continued success of the appellant's business is a public benefit, but this does not outweigh the harm to the conservation area arising from the proposal.
12. Paragraph 87 of the Framework affirms that flexibility should be applied on issues such as format and scale in promoting the vitality of town centres, and Paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity. Nevertheless, the proposal is harmful to visual amenity and more sensitively designed signage would be appropriate in respect of both economic and environmental considerations. It is also evident from the submissions that the appellant's business was able to grow significantly prior to display of the signs, presumably through other forms of publicity and marketing.

13. The appellant contends that the proposal may benefit from express consent in Classes specified in the Town and Country Planning (Control of Advertisements) (England) Regulations (2007). It would not benefit from Class 12 as the signs are not inside the building. It would not benefit from Class 13 as the signs have not been displayed for the preceding ten years without interruption. The appellant confirms occupation of the building for some six years, initially without signs, and the invoice for the signs is dated 2018.
14. I acknowledge the costs in preparing the signs, the support for the proposal from local councillors and the confusion arising from attempts to appeal refusal of the first application for the signs. These factors do not outweigh the harm arising from the proposal.

Conclusion

15. The signs by reason of their height, size and design overly dominate the building on which they are mounted resulting in an obtrusive appearance detrimental to the visual amenities of the locality. The special duty relating to the Margate Conservation Area, referred to in paragraph 6 above, has not been satisfied. The appeal should therefore be dismissed.

Rory MacLeod

INSPECTOR