
Appeal Decision

Site visit made on 1 June 2020 by A J Sutton BA Hons DipTP MRTPI

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2020

Appeal Ref: APP/Q1825/Z/20/3245974

12 Market Place, Redditch, B98 8AA

- 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 Firth (Stonegate Pub Co) against the decision of Redditch Borough Council.
 - The application Ref 19/01547/ADV, dated 1 December 2019, was refused by notice dated 24 January 2020.
 - The advertisement is described as 'installation of replacement illuminated and non illuminated signs to exterior of the building.'
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Decision

1. The appeal is allowed and express consent is granted for the installation of replacement illuminated and non illuminated signs to the exterior of the building at 12 Market Place, Redditch, B98 8AA in accordance with the terms of the application Ref 19/01547/ADV, dated 1 December 2019, limited to items 01a-01b Fascia and 02a-02b Projecting signage as shown on submitted plan reference 148726 REV E, for five years from the date of this consent, subject to the standard conditions in Schedule 2 of the Regulations¹.

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.

Procedural Matters

3. The proposal is for a scheme of signage associated with a nightclub. This includes two internally illuminated fascia signs, two double sided internally illuminated projecting signs, three non-illuminated poster frames, an above door vinyl non illuminated sign and a number of "diabond" panels for ground and first floor windows.
4. The appellant contends that the "diabond" panels would not require advertisement consent. The Council has confirmed that only items 01a-b Fascia signs and 02a-b Projecting signs require express consent and I see nothing before me which would lead me to dispute this conclusion. Therefore, this recommendation is limited to these stated items.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (The Regulations)

5. The advertisements, positioned on the principal and side elevations of the appeal property, were in situ when the site visit was conducted.

Main Issue

6. The main issue is the effect of the advertisement on the visual amenity of the area, with particular reference to the Church Green Conservation Area (CGCA) and the significance of listed buildings.

Reasons for Recommendation

7. The Council has drawn my attention to the policies and supplementary planning documents it considers to be relevant to this appeal and I have taken them into account as a material consideration where relevant. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (Framework) and the Planning Practice Guidance reiterate this approach. In reaching this recommendation, the Council's policies have not therefore, by themselves, been decisive.
8. The appeal property is a grand late 19th Century building, with a corner position in the retail/commercial centre of Redditch and within the boundary of the CGCA. It forms the end building of a row of premises which are generally retail units. The property and neighbouring buildings are locally listed.
9. The property is described as a traditionally constructed three storey building of light orange brick with rendered stone dressing, modillion eaves cornice and slate roof. It has been identified as a good example of local Victorian brickwork with townscape value.
10. The CGCA focuses on the Grade II listed St Stephen's Church which sits centrally within a green open space and pedestrian areas with scattered trees. The key qualities of the CGCA are the remnant historic street pattern and sense of openness. It provides the historic core of Redditch's commercial centre, a town beyond which has altered considerably during the late 20th century following its designation as a new town.
11. The row of buildings, within which the appeal property is situated, in part flanks the core of the CGCA, providing a foil for the setting of the Church. The appeal property forms a prominent edge of the historic centre where pedestrians move between the old and new areas of the town centre when approaching from Alcester Road and Market Walk.
12. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the Framework highlights that the quality and character of places can suffer when advertisements are poorly sited and designed.
13. Evidence submitted indicates adverts have been used at the property for a number of years. I do consider the scheme before me materially different from previous adverts, particularly in respect to the high level projecting adverts and fascia style signage to the side and front of the property.

14. However, these adverts do not affect the fabric of the historic building. When viewed in its immediate setting, the architectural detail which contributes to the interest of the building are not obscured by the adverts. Nor do the number of fascia and projecting signs appear excessive given the size and nature of the appeal property.
15. Furthermore, this type of signage is similar in character to existing signage on retail units in the parade which the appeal site forms the end property and therefore does not appear incongruous. The adverts, by virtue of their scale and proportions, do not dominant the street scene, and as such are not harmful to the character of the area when viewed in the immediate setting of Market Place.
16. The high level fascia sign on the side elevation is large in scale. However, the visual effect of it, and the projecting sign on this elevation, is somewhat obscured from wider views by the neighbouring modern Library building and narrowness of Market Walk and as such does not have a harmful effect on the appearance of the CGCA.
17. I note that the addition of garish fascia signs and replacement modern shopfronts in buildings on Market Place are matters of concern with regards the preservation and enhancement of the CGCA. However, the adverts on the appeal property do not alter the architectural proportions and details of the host building and have a neutral visual effect on the character of the area for the reasons outlined above.
18. The CGCA includes a number of grade II listed buildings, most of which are situated on the northern section of Church Green East and are therefore of a sufficient distance from the appeal property for the adverts not to be harmful to their setting.
19. As outlined above, the adverts have a neutral visual effect on the immediate setting of the appeal property and as such does not harm the open, green aspect which forms the setting of St Stephen's Church and contributes to its significance.
20. Grade II listed buildings No 20 and the National Westminster Bank (No 23) Church Green East are situated opposite the appeal property. However, the pedestrianised green space and trees provide some space and screening between the appeal property and the setting of the listed buildings. As such their historic setting, viewed principally north to south in the context of similar 19th and 18th century properties which form Church Green East, and contributes to their significance, is not harmfully affected by the adverts.
21. In summary the adverts do not have a harmful effect on visual amenity and preserve the character and appearance of the CGCA and the significance of the designated and non-designated heritage assets. Although not decisive, the advertisements are not contrary to Policies 36,37 and 38 of the Borough of Redditch Local Plan No.4 2017 (Local Plan) which collectively require designated heritage assets be given the highest level of protection and should be conserved and enhance.
22. The adverts are also not contrary to guidance set out in the Borough of Redditch High Quality Design Supplementary Planning Document 2019, which, amongst other matters, states good design need not necessarily be traditional

and there are many locations where a well-designed modern shopfront will be acceptable but it must be sympathetic to the building above and the streetscape.

23. Furthermore, the adverts are not contrary to Policy 42 of the Local Plan which states applications for advertisements affecting historic buildings, their setting or buildings located within a conservation area, should consider the significance of the building, be of a traditional design and in a style sympathetic to the building and its historic context.

Other Matters

24. The absence of a heritage statement is noted, and I have had regard for comments relating to the previous use of the appeal property. However, I am required to consider the merits of the proposal before me and the submitted evidence has been sufficient to inform my recommendation.

Conclusion and Recommendation

25. For the reasons outlined above, and having regard to all other matters raised, it is recommended that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

26. I have considered all the submitted evidence and concur that the appeal should be allowed.

Zoe Raygen

INSPECTOR