
Appeal Decision

Site visit made on 23 June 2020

by A Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 9 July 2020

Appeal Ref: APP/Q3060/Z/20/3244455

13 -15 Weekday Cross, Nottingham NH1 2GB

- 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 Elliot Towsey against the decision of City of Nottingham Council.
 - The application Ref 19/02106/ADV2, dated 20 September 2019, was refused by notice dated 14 November 2019.
 - The advertisement proposed is painted logo.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The logo has already been painted on the building's façade and therefore this is a retrospective application.

Main Issue

3. The main issue is the effect of the advertisement on visual amenity, having regard to the building's location within the Lace Market Conservation Area (LMCA).

Reasons

4. The building (No 13) occupied by Billy Bootleggers appears to be a mid-Victorian three storey terrace. It forms part of a continuous façade hard against the footway of Weekday Cross and High Pavement. Although there is variation amongst the individual buildings in the terrace, there is an underlying coherence of proportion, detailing and typology which gives this section of the street scene continuity and distinctiveness.
5. There is limited information before me with regard to the LMCA, but my observations and experience suggest that No 13's form and typology is typical of many of the former lace factories and warehouses within the LMCA. Consequently, I conclude that No 13's front façade is reflective of the area's industrial and social evolution, and makes a highly positive contribution, both individually and collectively, to the street scene. Its significance is therefore derived from its historic fabric and underlying conformity with other buildings of similar age in the terrace.
6. The painted logo extends across one ground floor window, which has had to be boarded over, and its overall size dwarfs the adjacent door. The size and

design of the logo also detracts from the scale and detailing of the doorway's sandstone portico. Moreover, although the rather slapdash design and paintwork reflect the current building's use and in other circumstances could be appropriate, they do not reflect or enhance the sober and rather more refined design of No 13's front elevation. I conclude that the logo detracts from the overall scale of No 13's frontage, and is detrimental to its overall appearance. It also detracts from the collective impact and continuity of this section of the street scene.

7. The appellant has provided photographs of other painted logos on period buildings. However, in the case of the Six Barrels, it is unclear to me where the examples are located and whether they are in a similar terrace. In any case, in both examples the circular logos are located at first and second floor level, rather than at ground floor level which is the case here. Furthermore, those logos are punctuated by the windows rather than requiring them to be boarded up. The logos are also a less prominent and more refined design than what is before me.
8. The main logo for the Brass Monkey is located on the side elevation of a period dwelling further along High Pavement. I do not have the planning details of that logo before me. In any case, it does not deface the host building's front elevation or obscure or detract from architectural features. Consequently, I cannot conclude that these examples are comparable.
9. The Planning (Listed Buildings and Conservation Areas) (England) Act 1990 (the Act) confers on the decision maker a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. This statutory duty applies in advertisement appeals insofar as it relates to the consideration of amenity.
10. In the light of the above, I conclude that the advertisement is materially harmful to the character and appearance of the host building and the LMCA. Whilst not decisive, I have had regard to Policies BE12 and BE19 of the Nottingham Local Plan, Policies 10 and 11 of the Greater Nottingham Aligned Core Strategy and Policy HE1 of the Nottingham Local Plan Part 2, noting that the logo does not preserve or enhance the LMCA, and is detrimental to the visual amenity of the building.
11. The advertisement would also fail to preserve or enhance the special character or appearance of No 13 and would therefore fail to accord with the provisions of the Act, as set out above. The Council's decision also cites the National Planning Policy Framework (the Framework). Although no specific paragraphs are referenced, the aforementioned policies and requirements under the Act are consistent with provisions of the Framework with regard to heritage assets.

Conclusion

12. For these reasons, I conclude that the appeal should be dismissed.

A Blicq

INSPECTOR