



Appeal Decision

Site visit made on 4 August 2020

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 August 2020

Appeal Ref: APP/F3545/Z/20/3248683

13 High Street, Mildenhall IP28 7EQ

- 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 Papa Johns (UK) Ltd against the decision of West Suffolk Council.
 - The application Ref DC/19/2325/ADV, dated 26 November 2019, was refused by notice dated 20 January 2020.
 - The advertisement proposed is application for advertisement consent – (i) 1 no. fascia signs (ii) 1no. stacked poster sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. The description of the appeal proposal is taken from the Local Planning Authority's (LPAs) decision notice which I consider accurately describes the proposal as amended prior to the LPAs determination. The LPA issued a split decision and so the appeal relates to the proposed fascia sign only.
3. At the time of my site visit a fascia sign very similar to that applied for has been erected at No.13 High Street although the appellant's original application form does not state that the appeal proposal is retrospective. Accordingly, for the avoidance of doubt, I have based my assessment on the proposed plans in terms of what has been applied for.
4. The main issue in this appeal is whether the proposed fascia sign would preserve or enhance the character or appearance of the Mildenhall Conservation Area.

Reasons

5. There is a varied character to the Mildenhall Conservation Area (MCA) including an identifiable and longstanding commercial core focused around the High Street and nearby Market Place. The appeal site is part of this core, where fascia signage to retail and other commercial premises is part of the character of the MCA. The principal issue is therefore appearance.
6. No.13 High Street contains a prominent ground floor frontage, symmetrically divided into two commercial units including the appeal site and its adjoining retail unit at No.13a ('Wreaths and Ribbons'). Noticeable attributes of the ground floor façade are the quality and intactness of the traditional shop frontages including modest but proportioned fascia spaces and superior

fenestration including transoms to provide an aesthetic horizontal division towards the top of the main windows.

7. This narrow linear band at the top of the window creates an intricate detailing which reinforces the traditional appearance of the shopfront as well as enabling the traditional recessed door entrance to be better appreciated. The original fascia space on these shopfronts is bordered at the bottom by a traditional architrave feature. These attributes are fully preserved at No.13a as well as being partially evident beneath the sign that has been erected and from the appellant's photograph of 'original signage' on the submitted plans. The original shopfront at No.13 High Street makes a positive contribution to the appearance of the MCA.
8. The proposed fascia sign would awkwardly extend below and over the fascia space available by some margin. In doing so, it would harmfully obscure traditional shopfront detailing as described above. The overhang of the sign below the original fascia space would appear clumsily alongside the more restrained appearance of the adjoining No.13a where signage has been kept within the original fascia space available. Consequently, there would be a harmful unbalancing of the overall appearance of the symmetrical traditional shopfronts.
9. The appellant draws my attention to nearby examples of large and prominent signage at other hot food outlets and other commercial premises elsewhere in the MCA. From my observations, most of these signs relate to modern buildings which have purposefully designed larger, proportional spaces for fascia signage. As such they do not harm or disturb the appearance of traditional shop fronts, in contrast to the appeal proposal.
10. I have few details of the planning history to these other illuminated fascia signs in the MCA but they appear to be well-established. The understanding and appreciation of the significance of heritage assets continues to progress such that I do not consider that these earlier signs should set the pattern for future fascia signage in the MCA. I note the appellant has removed the proposed illumination, scaled back the amount of signage originally proposed and proposes a relatively simple fascia sign that tones with the palette colours on the façade of No.13. This does not, however, overcome or mitigate the harm to the appearance of the traditional shopfront from its size and obscuring of original, positive features.
11. The National Planning Policy Framework (NPPF) at paragraph 132 states that poorly placed advertisements can have a negative impact on the appearance of the built environment. In this case, the proposed sign would significantly detract from the original shopfront and appearance of No.13 High Street which makes a positive contribution to the appearance of the MCA. This includes what are identified on the Conservation Area Appraisal map as 'important views' along the High Street at the appeal location. Therefore, the advertisement consent sought would be contrary to the provisions of the NPPF at paragraphs 132 and 200.
12. I have considered the proximity and significance of the Grade II listed building at No.14 High Street and find there would be no harm to its setting. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to give special attention to the desirability of "*preserving or enhancing the character or appearance*" of a Conservation Area. For the

reasons set out above I find that the proposed advertisement would not enhance the appearance of the Mildenhall Conservation Area.

13. I have taken into account Policy DM17 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 which provides detail to the broader Policy CS3 of the Forest Heath Local Development Framework Core Strategy Development Plan Document 2010. Collectively, these policies seek to protect amenity by securing the highest standards of design in conservation area locations, including advertisements. To assist, the LPA has adopted a constructive 'Shopfront and Advertisement Design Guide' (2015) which sets out that signs should not obscure architectural details on traditional shopfronts. These are material considerations in this case and given I have concluded that the proposal would harm the visual amenity at the appeal location the proposed advertisement would conflict with the development plan and relevant design guidance.
14. For the reasons above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Spencer

INSPECTOR.