
Appeal Decision

Site visit made on 29 July 2020

by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI

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

Decision date: 24 August 2020

Appeal Ref: APP/F0114/Z/19/3243374

19 Cheap Street, Bath BA1 1NA

- 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 Hampshire against the decision of Bath & North East Somerset Council.
 - The application Ref 19/04327/AR, dated 2 October 2019, was refused by notice dated 6 December 2019.
 - The advertisement proposed is for 2no. built up letters, 1no. projection sign, 2no. street names (vinyl) 6no. first floor window graphics contravision, 5no. first floor frosted graphics, 2no. ground floor window graphics.
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Decision

1. The appeal is dismissed in so far as it relates to 2no. built up letters, 1no. projection sign, 6no. first floor window graphics contravision, 5no. first floor frosted graphics and 2no. ground floor window graphics. The appeal is allowed insofar as it relates to the 2no. street numbers (vinyl) applied to the fascia facing Cheap Street and the fascia to the passageway facing Abbey Churchyard. The consented element is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Procedural Matters

2. The application was revised so that the 2 no. street names was replaced by just the street numbers at fascia level. I have considered the appeal on this basis and is included in the consented element of this appeal.
3. It was noted during my site visit that the majority of the signs had already been installed.

Main Issue

4. The main issue in this appeal is the effect of the proposed advertisement displays on the character, appearance and amenity of the area.

Reasons

5. The appeal property is a three-storey building forming a continuous terrace with other listed buildings of limestone ashlar and natural Welsh slates on the southern side of Cheap Street within the heart of the Bath Conservation Area (BCA) and Bath World heritage Site (WHS). No. 19 dating from the late

eighteenth century has frontages to both Cheap Street and Abbey Churchyard with an archway linking the two streets. The shop fascias to both streets have been refurbished and raised cut out lettering depicting the shop name and street numbering have been fixed to the fascia boards. In addition, a traditional hanging sign has been installed immediately below fascia level to the Cheap Street elevation again with raised lettering depicting the company logo. The first-floor windows – five to the Cheap Street elevation and one to the Abbey Churchyard elevation has the appearance of having been blacked out other than to reveal a strip of lettering to the glazing. The two window graphics to the ground floor windows had not been installed at the time of my site visit and instead, a window display was in evidence.

6. The building together with its immediate neighbours like very many within the immediate area has an elegant and imposing appearance with its shopfronts contributing to the vibrant shopping area and in turn makes a positive contribution to the character and appearance of both the BCA and WHS. The building also lies in a highly sensitive area in close proximity to the Grade 1 Bath Abbey and Scheduled Roman Baths. The significance of the building lies in its elegant and uniform Georgian appearance that sits comfortably within the iconic architectural legacy of the WHS.
7. It is understood that the signage comprising the lettering and hanging sign to the Cheap Street elevation is a direct replacement for previous approved signage in terms of general location and format. The Council concedes that the previous signage did not accord with the Council's Bath Conservation Area Commercial signage and tables and chairs on the highway Design and Conservation Guidance 2016, which builds upon the advice contained within the Council's Draft City Centre Character Appraisal (2015) for the BCA. Moreover, the Council recognises that there are a number of signs in the vicinity – a fact also highlighted in the appellant's photographs – that are of varying design and quality and which appear out of keeping with the principles established in the Council's Guidance and detract from the character and appearance of the area. There is no evidence to suggest that these signs gained formal advertisement consent and in the absence of such planning history, I attach limited weight to their presence. I am also charged with considering the special architectural and historic qualities that comprise this listed building. In other parts of the City Centre, including the adjoining premises, I observed that hand painted lettering on darker fascia backgrounds are more typical and reflect the Council's Guidance and the quality that should reasonably be expected of signage within the BCA and WHS.
8. In the context of this building and setting and, given the restrained nature of advertisements on adjoining buildings, the number of signs whilst not particularly excessive have given rise to significant harm to amenity by their design and in the materials employed. The modern raised acrylic lettering to both the fascia and hanging signs unacceptably detract from the elegant Georgian façade. The blacked-out windows and applied lettering to the glazing has deadened the appearance of the sash windows to the listed building and resulted in an intrusive visual arrangement that is out of keeping with the historic and architectural features of the appeal property. They have collectively undermined the building's significance and in turn failed to preserve the character and appearance of the BCA and harmed the setting of the WHS. The proposed vinyl graphics would in my view similarly detract.

9. In conclusion therefore, apart from the street numbers, I find that the remainder of the signs both individually and collectively constitute incongruous additions. They have resulted in significant and unacceptable harm to the character and appearance of the BCA and WHS. I also find that they have harmed the setting of the immediately adjoining listed buildings that have sensitive signage by and large. The Council has cited numerous development plan policies that support its contention that the signage is harmful. However, although I have taken these policies into account, they are not determinative in relation to considerations under the Advertisement Regulations, which requires the decision maker to consider issues of amenity. I have though considered my statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and applied them accordingly, concluding that the majority of the appeal scheme has failed to preserve or enhance the character or appearance of the BCA and in turn the WHS; the signage other than the street numbers has also unacceptably harmed the character and appearance of the listed building and therefore its significance. It has also harmed the setting of adjoining listed buildings.

Conclusion

10. The scheme involves a number of different elements that are physically and functionally independent. I find that the proposed signage is unacceptable other than the applied street numbers. Therefore, I propose to issue a split decision in this case and grant advertisement consent for the street numbers only and dismiss the appeal insofar as it relates to all other elements of the appeal signage scheme.

Gareth W Thomas

INSPECTOR