The Planning Inspectorate

Appeal Decision

Site visit made on 6 October 2020

by S Tudhope LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2020

Appeal Ref: APP/V1505/Z/20/3253090
127 High Street, Billericay, Essex CM12 9AH

- 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 Conner Baker, CRJ Billericay Holdings Ltd against the decision of Basildon Borough Council.
- The application Ref 19/01486/ABAS, dated 23 October 2019, was refused by notice dated 17 April 2020.
- The advertisement proposed is illuminated 3D lettering displaying the shop name "Queenies".

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

3. The appeal property is at the end of a parade of ground floor commercial units situated within a modern 3 storey building. The building is prominent in the street scene due to its overall scale, bulk and materials.

4. The site lies within the Billericay Conservation Area (CA) which covers much of the town centre. Its significance lies in part in the manner in which it encompasses a range of buildings and spaces that reflect the evolution of this historic centre. The area has a busy, vibrant character and advertisements on shopfronts are a well-established feature of the street scene.

5. I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, in accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. The proposed advertisement would fit the existing fascia and the scale and positioning of the lettering would be of satisfactory proportions. In this respect it would be broadly similar to other nearby fascia signs. The colour red is a colour found in other signs throughout the High Street and its proposed use here would not in itself be objectionable. The grey colour proposed for the background would be subtle and unobtrusive. However, the open fronted 3D metal lettering would contain 59 light bulbs. Irrespective of whether these would be incandescent vintage warm dull white or 1.3 watt LED bulbs, the

design, by virtue of the number of bulbs contained within open fronted individual letters, would result in a garish and brash feature that would be incongruous with the area. This would be irrespective of its location upon a somewhat unattractive building.

7. Whilst there are examples within the street of illuminated fascia signs, including those with internally illuminated 3D letters, I did not see, nor was I directed to, any directly comparable examples. The design may be considered to be traditional, but it is not of a form that is typical in this location. The design, insofar as the illumination details are an integral part of the design and the means of illumination, would therefore be harmful to visual amenity. Consequently, the proposed advertisement fails to preserve or enhance the character and appearance of the CA. The proposal would, by way of its design and illumination, result in material harm to the amenity of the area.

8. The 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. Therefore, the Council's policies alone cannot be decisive. I have taken into account Policy BAS BE18 of the Basildon District Local Plan Saved Policies 2007, which seeks to protect amenity and so is material in this case. Given that I have concluded that the proposed advertisement would harm amenity, the proposal conflicts with this policy.

Other considerations

9. The appellant has referred to the proposed design reflecting the trading style of their business and being consistent with their signage elsewhere. I am not aware of the specific circumstances in which their other advertisement may have received consent, but inevitably the context would differ to that of the scheme before me, and so this matter does not lead me to a different view in this case.

10. I have considered a petition in support of the proposed advertisement from local residents, and I also understand the need to encourage investment in the town centre. However, these matters do not outweigh the concerns which I have in respect of amenity.

Conclusion

11. For the above reasons the appeal is dismissed.

S Tudhope
Inspector