



Appeal Decisions

Site Visit made on 3 March 2021

by A Blicq BSc(Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2021

Appeal A - APP/Z2830/Y/20/3260703

185 Watling Street West, Towcester, NN12 6BX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Ian Grundy, Suburban Village Pub Company Ltd against the decision of South Northamptonshire District Council.
 - The application Ref S/2020/1236/LBC, dated 17 July 2020, was refused by notice dated 1 September 2020.
 - The works proposed are Replacement of existing hanging sign board. Trough and flood lights to be replaced by LED. New lanterns to entrance. New signwriting replaced like for like. Stone to be painted black. In conjunction with application S/2020/1117/ADV.
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Appeal B - APP/Z2830/H/20/3260702

185 Watling Street West, Towcester, NN12 6BX

- 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 Ian Grundy, Suburban Village Pub Company Ltd against the decision of South Northamptonshire District Council.
 - The application Ref S/2020/1117/ADV, dated 25 June 2020, was refused by notice dated 1 September 2020.
 - The advertisement proposed is Replacement of existing hanging sign board. Trough and flood lights to be replaced by LED. New lanterns to entrance. New signwriting replaced like for like. Stone to be painted black (retrospective).
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 12 March 2021.

Decision - Appeal A

1. In respect of the hanging sign board, LED trough and flood lights, menu boards, new lanterns to entrance and first floor sign writing only, the appeal is allowed and listed building consent is granted for replacement of existing hanging sign board, trough and flood lights to be replaced by LED, new lanterns to entrance, new signwriting replaced like for like, stone to be painted black in accordance with the terms of the application Ref S/2020/1236/LBC dated 17 July 2020 subject to the conditions appended to this decision.
2. In respect of the ground floor signwriting, social media logos and stone to be painted black, the appeal is dismissed.

Decision – Appeal B

3. In respect of the hanging sign board, LED trough and flood lights, menu boards, new lanterns to entrance and first floor sign writing only, the appeal is allowed and express consent is granted for replacement of existing hanging sign board, trough and flood lights to be replaced by LED, new lanterns to entrance, new signwriting replaced like for like, stone to be painted black in accordance with the terms of the application Ref S/2020/1117/ADV dated 8 July 2020 subject to the conditions appended to this decision.
4. In respect of the ground floor signwriting, social media logos and stone to be painted black, the appeal is dismissed.

Preliminary Matters

5. Both appeals are concerned with four elements on the façade of the Watling Street Village Public House. These comprise a hanging sign and lighting, menu boards and lighting, signwriting on the public house's front façade and painting of the front façade. In the interests of brevity I will deal with some aspects of each appeal together in my reasoning.
6. The Council has no objection to the hanging sign, menus and their associated lighting. As the elements are severable, on the basis of what is before me I see no reason to consider the hanging sign, menu boards or their associated lighting further. The Council accepts the principle of some signwriting at first floor level, but has raised a concern in relation to the social media logos. As such I have considered the social media logos only. Although they had been removed before my visit, they form part of the application and are considered as such.
7. The appeal concerns a Grade II listed building in the Towcester Conservation Area (TCA) and I am aware there are many other listed buildings nearby. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes particular responsibilities on the decision taker with regard to listed buildings, their settings and conservation areas. Consequently, I have included in my reasoning the effect of the works on the TCA as well as any other listed buildings nearby.
8. The application form and drawings refer to new signwriting replaced like for like. However, it is clear from the evidence that the new signwriting is not like for like. I have based my reasoning on the evidence before me and the site visit.
9. The appeals relate to retrospective works but I have based my reasoning on the planning merits of each appeal.

Main Issue – Appeal A

10. The main issue is whether the works would preserve the Grade II listed 183 and 185 Watling Street West Public House (No 185), having particular regard to the desirability of preserving the listed building, any features of special architectural or historic interest, and its setting.

Main Issue – Appeal B

11. The main issue is the effect of the advertisement on visual amenity, having regard to No 185's listed status, the settings of other listed buildings including

the Grade II* listed Chantry House, and the Grade II listed 175, 177, 179, 181 and 187 (Sponne House) Watling Street West and 94, 98 and 98A Watling Street East, The Post Office and The Plough Public House, and No 185's TCA location.

Reasons – Appeals A and B

Listed Buildings

12. Number 185 is a two-storey painted brick mid-18th century former house and attached cottage with early 19th century alterations. It has a tiled pitched roof and forms part of a continuous façade of period buildings hard against the footway in the centre of Towcester.
13. Number 185's timber panelled main entrance door is framed by pairs of Tuscan pilasters supporting entablature with triglyph frieze. A secondary entrance door is framed by false quoins and a blocked lintel. Ground floor sash windows have moulded stone surrounds and keyblocks.
14. The building makes a notable contribution to the street scene as a consequence of its long frontage as well as the intact historic fabric on its front elevation. Its significance is derived from its built form, historic fabric and restrained ornamentation, as well as its prominent location in the heart of the town and on a former coaching route. This reflects No 185's local importance in the 18th and 19th centuries and its contribution to the local economy.
15. Prior to a recent change of ownership the door and window surrounds were accentuated with a pale to mid grey paint, just a few shades darker than the painted brickwork. The first-floor signage and hanging board were painted in a much darker grey which gave the advertising appropriate prominence, without detracting from the overall form and detailing of the host building. The previous signwriting was used as an example of best practice in the Council's Design Guide.
16. The surrounds have now been painted a very dark grey and there is a very high degree of contrast with the underlying brickwork. I agree with the Council that the effect is very stark. The surrounds dominate the front façade to the extent that the new hanging board and first floor signage have far less visual impact. There is nothing before me to indicate that such a high contrast between the door and window surrounds has any historic justification or basis, or whether there is a particular local convention in this regard.
17. I appreciate that other buildings nearby have some dark painted elements but those buildings are not comparable in design, scale, style or prominence to what is before me. The buildings that appear to be contemporaneous with No 185 or built in a similar style, do not have the same ornamentation and in any case are largely painted a uniformly pale colour. This is particularly noticeable in the case of 181 Watling Street West which is attached to No 185 on one side. Moreover, No 185 has a much wider frontage than many of the nearby buildings and consequently the impact of the darker paint is very much greater.
18. I also agree with the Council that the definition of the frieze and the stone windows and door stone surrounds has been diminished by the use of such a dark colour, as it alters reflectivity and reduces the contrast between light and shade. This is particularly apparent in the case of the frieze above the main

entrance door. Whilst I appreciate that No 185 has a bold and striking appearance, this does not necessarily preserve its historic significance. The paint colour scheme also makes No 185 overly prominent in the overall street scene.

19. The appellant's evidence fails to set out any assessment of the heritage significance as required by Paragraph 189 of the National Planning Policy Framework (the Framework). As such it is unclear how the arguments regarding the dark paint would not be harmful are substantiated. The level of expenditure on No 185's refurbishment does not in itself provide an explanation as to how the dark paint contributes to No 185's ongoing viability.
20. As the first and ground floor signwriting is severable, I will consider them separately. There is painted signwriting and images advertising craft beers, stone baked pizza and fresh coffee on the building at ground floor level. I appreciate that this has been sympathetically designed. However, it creates a focal point towards the side of No 185's front façade and draws the eye away from the main door and its surrounds. Moreover, it is as tall as the adjacent window and in size and scale it dwarfs the small and discreet framed menu boards on each side of the entrance door. As such, whilst I agree that it is not excessive it nonetheless constitutes unnecessary visual clutter which detracts from the overall appreciation of this listed building, particularly in combination with the dark grey paint of the surrounds.
21. Given No 185's location within a town centre with a very high proportion of listed buildings it also seems likely that allowing additional signwriting on the wall of No 185 could be used by other applications to put pressure on the Council to allow similar advertising on other buildings. Whilst this is not particularly determinative, it reinforces my reasoning. Moreover, whether the work is reversible or not weighs neither for nor against the appeal as the primary appreciation of No 185 is its front elevation.
22. I appreciate that advertising is reasonable but No 185 has other advertising. The older photographs show that there was an A-board on the footway and presumably all businesses in this town centre are required to limit their advertising. Paragraph 194 of the Framework sets out that advertising in the vicinity of or on heritage assets requires clear and convincing justification. On the basis of what is before me it is unclear what particular contribution the ground floor signage makes.
23. Regarding the first floor signage, the three social media logos below the main first floor signage are commonplace forms of advertising. However, having reviewed the photographs I conclude that they added unnecessary visual clutter. Moreover, as they were relatively small and high above the footway, on the basis of what is before me I am unclear how they might make any meaningful contribution to No 185's viability.
24. I conclude that the ground floor signwriting, social media logos and dark grey paint detract from the significance of No 185 and that this is less than substantial harm. Paragraph 193 of the Framework which states that when considering the impact of a proposal on the significance of a designate heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether the potential harm amounts to substantial harm or less than substantial harm to its significance.

25. Number 185 faces a small square formed by the gentle widening of the road, and which is dominated on one side by the Grade II mid-19th century Italianate style town hall. Most of the buildings lining the square on both sides of the road are listed, including the 15th century stone Grade II* Chantry House, attached walls and gateway, the Grade II three storey red brick Post Office building, the 17th century Plough Public House and a series of 17th and 18th century shops¹. The spatial relationship between these commercial, former ecclesiastical and legislative buildings around a central square is suggestive of the town's evolution and their local importance. The significance of these buildings arises from their historic fabric as well as the overlapping and reciprocal contributions they make to the settings of others. No 185, through its largely unaltered façade makes a notable contribution to the collective settings of these listed buildings, particularly as many of the shops building have been significantly altered at street level. This reinforces my reasoning. The introduction of unsuitably strident paint work and unnecessary advertising clutter at No 185 would have an adverse effect, albeit minor, effect on No 185's contribution to its historic context.
26. In the light of the above I conclude that the dark grey painted surrounds, ground floor signwriting and social media logos fail to preserve features of special architectural or historic interest at No 185 including setting, and are contrary to the provisions of Section 16 of the Act and Section 13 of the Framework. The works are also contrary to Policy HE5 of the Local Plan (LP) which requires proposals to contribute to the preservation of the building, not be detrimental to special historic architectural interest and to be of an appropriate design, compatible with the character and construction of the building. It would also fail to meet the requirements of LP Policy SS2 which requires development not to adversely affect built heritage. The development and works
27. The development and works would also fail to preserve the settings of the Town Hall, Chantry House and the other listed buildings in the area. This would be contrary to Section 66 of the Act, Section 13 of the Framework and LP Policies HE5 and SS2 as set out above.

Conservation Area

28. As set out above, most of the buildings lining Watling Street between Brackley Road and Richmond Road are listed, and form near continuous facades of largely 17th, 18th and 19th century buildings on both sides of the road. The focal point of the town centre is the small square in front of the listed Town Hall, onto which No 185 faces.
29. The significance of the TCA arises from the wealth of period buildings and their historic fabric which in many cases appears remarkably intact, particularly above ground floor level. Number 185, and the attached buildings on each side are particularly notable in this context as the ground floor facades appear to be historically intact and largely free of significant advertising or shop fronts.
30. The imposition of a strident colour scheme and unnecessary advertising would detract from the street scene in this particular location and would fail to preserve or enhance the character or appearance of the TCA.

¹ 175, 177, 179, 181 Watling Street West and 94, 98 and 98A Watling Street East

31. This would be contrary to the provisions of Section 72 of the Act, and Section 13 of the Framework. It would also be contrary to LP Policy HE6 which allows advertisements only where they preserve and enhance the significance of the asset and respect the character and appearance of the area, and the general design aims of LP Policy SS22.

Planning balance

32. The appeal statement alludes to a lack of footfall associated with the previous business, partly attributed to a poor high street presence and low-key advertising. It is unclear what the other contributors to that lack of footfall were and how much weight should be given to them, compared to the poor presence and advertising.
33. It is argued that the painting scheme and signwriting raises No 185's presence. However, whilst the building itself is more striking, to my mind the advertising is less obvious than the previous arrangement. The extent of the link between paintwork and signwriting, and footfall is not particularly specific. As such, whilst I give these arguments some weight, on the basis of what is before me I am not satisfied that the public benefits of the business are such that they outweigh the harm to the significance of No 185 itself, the other listed buildings nearby or the TCA arising from the ground floor signwriting and the painted door and window surrounds.

Conditions

34. The Council has suggested conditions for both appeals. With regard to both appeals I have imposed the standard time condition as well as conditions listing the approved drawings for the avoidance of doubt. I have also imposed other conditions to ensure the Council retains control over the advertising elements of the works in order to safeguard public amenity, and to ensure it does not have an adverse impact on the visual amenity of the area, public or highway safety.
35. With regard to Appeal B, I have imposed the same conditions as for Appeal A with the exception of the condition listing approved drawings. This has been amended to reflect the evidence submitted with that appeal.

Conclusions

Appeal A

36. Appeal A is allowed insofar as it relates to the hanging sign, first floor signwriting, menu boards, and lighting. Appeal A is dismissed insofar as it is concerned with the ground floor signwriting, logos and dark grey paint to door and window surrounds.

Appeal B

37. Appeal B is allowed insofar as it relates to the hanging sign, first floor signwriting, menu boards, and lighting.
38. Appeal B is dismissed insofar as it is concerned with the ground floor signwriting, logos and dark grey paint to door and window surrounds.

A Blicq INSPECTOR

APPEAL A - SCHEDULE OF CONDITIONS

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The works hereby permitted is for the hanging sign board, LED lights, new lanterns to entrance, menu boards and first floor sign writing 'The Watling Street Village' only, as identified on Drawing. No. 108 Rev A.
- 3) The works shall not be carried out otherwise than in complete accordance with the approved plans Drawing No. 101 and 108 Revision A, Signage Specification, Visual Photograph and Design and Access Statement, dated 17 July 2020.
- 4) The works hereby permitted shall be carried out in accordance with the following:
 - (a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (b) No advertisement shall be sited or displayed so as to:- (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 - (c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
 - (d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
 - (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- 5) The illumination of the sign shall not be of a flashing or intermittent kind and the light source shall be screened so it does not cause glare into the adjacent highway.
- 6) The sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.

APPEAL B - SCHEDULE OF CONDITIONS

- 1) This consent shall expire at the end of a period of 5 years from the date of this consent.
- 2) The development hereby permitted is for the hanging sign board, LED lights, new lanterns to entrance, menu boards and first floor sign writing 'The Watling Street Village' only, as identified on Dwg. No. 101 and 108 Revision A.

- 3) The development shall not be carried out otherwise than in complete accordance with the approved plans: Dwg No. 101; Dwg No. 108 Revision A; A4 data sheet Portland Lighting – Ecolux mini; A4 data sheet Portland Lighting – Flood and Swan Neck Cowl Lights; Visual Photograph.
- 4) The development hereby permitted shall be carried out in accordance with the following:
 - (a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - (b) No advertisement shall be sited or displayed so as to:- (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
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 - (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity
- 5) The illumination of the sign shall not be of a flashing or intermittent kind and the light source shall be screened so it does not cause glare into the adjacent highway.
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