



Appeal Decision

Site Visit made on 13 October 2021

by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2021

Appeal Ref: APP/Z2830/Z/21/3274603

73 Watling Street West, Towcester NN12 6AG

- 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 Pizza Time Towcester against the decision of West Northamptonshire Council.
 - The application Ref S/2021/0210/ADV, dated 30 January 2021, was refused by notice dated 21 April 2021.
 - The advertisement proposed is Fascia sign with lighting strip, internally illuminated projecting sign, painted render to match the signage (Retrospective).
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Decision

1. The appeal is dismissed, and express consent is refused insofar as it relates to the projecting sign.
2. The appeal is allowed in so far as it relates to the fascia sign and painted render, and express consent is granted for the installation of the advertisement at 73 Watling Street West, Towcester NN12 6AG in accordance with the terms of the application ref S/2021/0210/ADV, dated 30 January 2021, and the plans submitted with it, so far as relevant to that part of the advertisement hereby consented.
3. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Preliminary Matters

4. The Council has referenced policies it considers to be relevant to this appeal and I have taken these into account as a material consideration. However, powers under the 2007 Regulations to control advertisements may only be exercised in the interests of visual amenity and public safety, taking account of any material factors. Consequently, the Council's policies have not by themselves been decisive in my determination.
5. Prior to the determination of the planning application subject to this appeal South Northamptonshire District Council merged with other Councils to form West Northamptonshire Council. As such, my consideration of this appeal has been based on the policies of the adopted development plan as detailed on the decision notice.

Main Issue

6. Paragraph 136 of the National Planning Policy Framework (The Framework) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council

has not identified harm to public safety and therefore the main issue is the effect of the proposal on visual amenity.

Reasons

7. Watling Street West, close to the appeal site, is a largely residential setting with some dispersed commercial activity. Fascia advertisements on nearby premises are generally subdued and mostly consist of externally illuminated signage of various styles. Street lighting and the presence of commercial activity provides a relatively high level of evening illumination. Buildings in this setting are adjacent to the footway and separated by a comparatively narrow street forming a strong sense of enclosure. The appeal site is a three-storey building, within a terraced row, and is identified in the Towcester Conservation Area Management Plan (2012) as a significant building. The building has a traditional form and although having been unsympathetically altered over time makes a largely positive contribution to the character and appearance of the area.
8. The appeal site is within the Towcester Conservation Area (TCA). The statutory requirements¹ entail that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The significance of the TCA seems to derive from the architectural detailing of many buildings along Watling Street and their group interest forming a historic street pattern. The context of the site includes many listed buildings, including, at 8 Watling Street East opposite.
9. The ground floor windows are horizontal in character. As a result, the width of the fascia sign complements the width of the building's frontage. The fascia sign is relatively narrow, does not overlap adjacent windows, and has a limited projection. It therefore suits the form of the configuration of ground floor windows and the proportions of the frontage. Also, being of largely simple and modest design, the proposed shopfront design would be compatible and in scale with the character of the building. It would not be prominent when viewed from the surrounding area and successfully integrates with key elements of the building.
10. Furthermore, the fascia sign is not internally illuminated. The trough lighting is a thin feature above the fascia and discrete. Consequently, the method of lighting largely accords with the shopfront chapter of the Council's Design guide. In addition, the dark paint applied to the elevation at ground floor complements the style of the shopfront and accords with the appearance of other shopfronts within the area. As a result, these elements complement the building and the visual amenity of the area. They would therefore preserve the character and appearance of the conservation area.
11. However, the internally illuminated projecting sign is mounted substantially higher than the fascia sign. This component is an obtrusive feature in the streetscene being both bulky and bright. The projecting sign would sharply contrast with the subdued nature of nearby commercial advertising and therefore represents a harmful addition to the streetscene, adversely affecting the character and appearance of the area.

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

12. Therefore, notwithstanding the fact that I have found the fascia sign and render colour to be acceptable, I conclude that the proposed projecting sign would be harmful to visual amenity. The projecting sign would therefore be contrary to policies SS2, HE5 and HE6 of the South Northamptonshire Part 2 Local Plan and the Council's Design Guide. These policies, among other matters, require advertisements to respect the character of the area and to preserve the significance of the asset. While not determinative in my decision, I consider this advertisement would fail to accord with these policies.
13. I recognise the support to the scheme from interested parties, however this would not overcome the concern that I have identified with respect to the projecting sign.

Conclusion

14. For the reasons set out above, I will therefore issue a split decision, dismissing the appeal insofar as it relates to the proposed projecting sign but allowing the appeal insofar as it relates to the other signage proposed as part of the appeal scheme. In doing so, the consented elements are subject to the five standard conditions set out in the Regulations.

B Plenty

INSPECTOR