



Appeal Decision

Site visit made on 1 March 2022

by Jonathan Edwards BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2022

Appeal Ref: APP/F0114/Z/21/3287765

Bath Honda, Prior Park Road, Widcombe, Bath BA2 4NF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by MG Motor UK Limited against the decision of Bath and North East Somerset Council.
 - The application Ref 21/03864/AR, dated 16 August 2021, was refused by notice dated 5 October 2021.
 - The advertisements proposed are 1 non-illuminated single folded dibond 'Customer Parking' directional totem sign, 1 non-illuminated single sided folded dibond 'Welcome' totem sign and 1 non-illuminated folded dibond 'MG Motor' fascia sign.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I saw on my visit that the advertisements are already displayed. My decision is based on the appeal drawings.
3. The Regulations confine the assessment of advertisements to issues of amenity and public safety. Development plan policies are only relevant considerations insofar as they relate to such issues. The appeal site lies in Bath Conservation Area (the CA). I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Also, I have had regard to the effect on the setting of the grade II listed former mill building on the site (the LB).

Main Issue

4. The main issue is the effect of the advertisements on amenity.

Reasons

5. The site includes a modern single storey car showroom with a forecourt between it and a stone wall on the roadside. The LB is a cream painted, 3 storey building adjacent to the showroom. The site is in an urban area where the immediate surroundings are characterised by historic and architecturally attractive stone buildings with intervening green spaces and mature trees.
6. The signs are all predominantly a shiny red colour with silver and white lettering and logos. The customer parking sign is particularly noticeable as it is on the pavement edge. The whole of the fascia sign is also visible from the

road from where it is seen as a vivid and broad horizontal band against a grey background. The welcome sign is partially concealed by cars on the forecourt. Nevertheless, its bright colour and height means its upper part is obvious from the highway.

7. The red tone of the signs is very bright and contrasts sharply with the much more natural and muted colours of the historic stone buildings and vegetation on and near the site. Also, the customer parking sign lies between the road and the LB and so it visually detracts from its architecture. Therefore, the signs stand out as unduly conspicuous and unsympathetic features, even when taking into account the commercial use of the site and the different colour of vehicles on the forecourt. As such, they detract from the historic and visual qualities of this part of the CA.
8. The site includes other signs of a silver grey colour. These are significantly less striking than the red signs and so the appeal advertisements do not harmonise with existing signage on the site. Also, the signs that have been replaced by the appeal advertisements were also silver grey and so they too would have been less obvious.
9. A coloured sign at Prior Park Garden Centre forms a prominent part of the local street scene. However, the appeal signs are much brighter and so have a different visual effect. As such, the garden centre sign does not set a precedent for the appeal advertisements, which I have dealt with on their own merits.
10. For the above reasons, I conclude the advertisements have a harmful effect on amenity. Policy D9 of the Bath and North East Somerset Core Strategy 2014 (the CS) sets out criteria for the assessment of advertisements with the aim to protect amenity and so it is material in this case. The advertisements conflict with this policy as I have concluded they would harm amenity. Also, the signs are contrary to CS policy HE1 in that, as a whole, they fail to preserve or enhance the appearance or character of the CA and detract from the architectural qualities of the LB. CS policy D2 is referred to but this contains no particular provisions in respect of advertisements' effect on amenity.

Other Matters

11. There is no dispute between the parties that the signs avoid any harm in respect of public safety. Acceptability in these regards does not address or override the identified harm in regards of amenity.
12. The red colour of the signs reflects a corporate brand design and they support the car sales business use of the site. However, such factors do not relate to the interests of amenity or public safety and so have no influence on my assessment of the appeal.

Conclusion

13. For the above reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR