



Appeal Decision

Site visit made on 15 August 2022

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022.

Appeal Ref: APP/B1740/Z/22/3301321

24 Southampton Road, Ringwood BH24 1HY

- 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 Colin Jarrold (Hala Group) against the decision of New Forest District Council.
 - The application Ref 22/10178 dated 15 February 2022, was refused by notice dated 5 May 2022.
 - The advertisement proposed is externally illuminated fascia sign with LED trough lighting; externally illuminated projecting sign.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. From my visit and on the basis of the evidence before me, the signage and lighting has been erected. In determining this appeal my decision has been considered on the basis of the plans submitted and on which the Council made its decision.
3. Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regs) requires that a Local Planning Authority shall exercise its powers (amongst other things) in the interests of amenity taking into account - (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors. Regulation 3(2) states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural, or similar interest. I have considered the appeal on this basis.

Main Issue

4. The effect of the proposed development on the amenity of the area including the character and appearance of the Ringwood Conservation Area (CA).

Reasons

5. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character and appearance of the CA. The National Planning Policy Framework (the Framework) confirms that advertisements should be subject to control only in

the interests of amenity, taking account of cumulative impacts (paragraph 136).

6. The CA is characterised by the retail and services nature of the area, and is a mix of older properties and more modern buildings with commercial premises at ground floor. At my site visit I was able to see that many of the traditional buildings were located on the southern side of the road, where the appeal site is also located. Travelling southbound towards the High Street, I was able to see a mixture of smaller and larger premises, both independent and national businesses, with most buildings along this stretch of the street continuing to be of an older period and traditional character and appearance.
7. Along the street I was able to see a variety of signage treatment, varying from more traditional lettering, plastic lettering, painted signage, illuminated or non-illuminated. Much of the signage which displays plastic or similar materials tends to be on the modern buildings opposite the appeal site, and the extent of these tend to create a cluttered and busy character and appearance. On the properties sharing the same side of the road as the appeal site, signage is proportionate to the scale and design of host properties with the buildings, rather than the signage, being the central feature. There were a small number of hanging signs in the immediate area, of which few were illuminated. This creates a more sympathetic appearance which has regard to the more traditional buildings, in particular when travelling towards the High Street.
8. The appeal site comprises a double-fronted building with bay windows to the first floor, and timber detailing to the front gable. It is attached to a smaller single storey unit, serving a barber's shop. Adjacent is a similar two storey building with tile hanging detail to the gable. The shop to the ground floor has been refurbished and the shop front has been painted a dark grey colour. The first floor is white painted render. The building is in contrast to the modern buildings on the opposite side of the road.
9. The Conservation Area appraisal¹ suggests that many of shopfronts and schemes of signage fall short of the advice on best practice contained in the Council's Shopfront Design Guide². This includes guidance for fascias, use of materials and hanging signs and lighting. The use of traditional painted or applied letters are encouraged, stating that raised plastic and Perspex should be avoided. Whilst hanging signs add interest to the street, the Design Guide says that these should avoid being bulky, and trough lighting is to be avoided.
10. The works include the insertion of a timber fascia, to which raised acrylic lettering in white has been installed, together with a logo and hanging sign, both of which are illuminated by trough lighting. The dark grey ('Traffic Grey') paintwork to the shopfront stands out in sharp contrast to the nearby premises, which tend to have lighter detailing and exteriors.
11. The visibility and contrast of the modern acrylic materials of the signage appears at odds with the traditional frontage of the building forming the appeal site. This contrast results in high visibility of the signage and the jarring appearance of the acrylic signage to the front of the appeal premises, as seen from the street. I accept that there are a number of buildings which display modern materials and fascias for signage, however these appear to be

¹ Ringwood Conservation Area Appraisal Supplementary Planning Guidance (October 2003)

² Shopfront Design Guide Supplementary Planning Guidance (January 2001)

primarily located on the more modern buildings. Whilst I accept that the lettering size is of a suitable scale to the shopfront, the use of the acrylic on the timber fascia is conspicuous and discordant in the street scheme and would detract from views along the street and to the host building. Whilst I accept that the Design Guide does not wholly discourage the use of metal hanging signs, this appears to be at odds with the use of the timber fascia. The overall use of materials do not harmonise together, nor with the traditional building located on this side of the street and the jarring effect to visual amenity is exacerbated by the excessive illumination.

12. Taking into account the contrast of the signage, the type and extent of illumination would be excessive. The signage would be particularly prominent in the evenings and at night-time. The appellant has confirmed that the previous trough lighting was the full width of the previous fascia and that the lighting as installed only extends over the logo and lettering only and is painted the same colour as the fascia. I also accept that, in accordance with the Design Guide, no internal illumination forms part of the proposal. I acknowledge that, via the illumination, the appellant seeks to emphasise that the takeaway premises are open, with the lighting above the hanging sign to provide long views along Southampton Road. However, there is nothing in the evidence before me to suggest that the appeal scheme is the only way to achieve this, and it does not outweigh the harm I have identified.
13. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
14. The harm would be less than substantial, on account of the fact that the proposal would only affect part of the character of the Conservation Area and would not alter the built form or the townscape. Nevertheless, taking account of the statutory duty to have special regard to enhancing or preserving the character and appearance of a Conservation Area, importance and weight must be attached to the harm identified. No public benefit has been identified which would outweigh the harm that is caused by the proposal.
15. In accordance with the Regulations, I have taken into account the provision of the development plan so far as relevant. Policy ENV3 of the Local Plan³, together with the Design Guide and Conservation Area Appraisal, seek to protect amenity and so are relevant in this case. I have concluded that the advertisements would have a harmful effect on the visual amenity of the area and therefore the appeal proposal conflicts with these policies and would not meet with the objectives of the Framework.

Other Matters

16. My attention has been drawn to other advertisement arrangements in the area. The circumstances in each proposal are likely to be different, and in any event the fact that apparently similar advertisements may have consent is not a

³ New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy (July 2020)

reason, on its own, to allow unacceptable advertisements. In the same way, the appellant asserts that there is no assessment of the baseline situation that existed before the installation of the appeal advertisements. Nonetheless, I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

17. For the reasons given, the proposal is unacceptable and the appeal should not succeed.

Rebecca Thomas

INSPECTOR