
Appeal Decision

Site visit made on 6 December 2022

by Mr Cullum Parker BA(Hons) PGCert MA MRTPI MCMI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 December 2022

Appeal Ref: APP/G3110/Z/22/3307925

KFC, 35 Cornmarket Street, Oxford, Oxfordshire, OX1 3EZ

- 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 Euro Garages Ltd against the decision of Oxford City Council.
 - The application Ref 22/00978/ADV, dated 21 April 2022, was refused by notice dated 2 September 2022.
 - The advertisements are described as 'Updated external signage scheme' on the application form.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the visual amenity of the locality; including the Central Conservation Area.

Reasons

3. The immediate street scene comprises a number of shop frontages on the western side of Cornmarket Street. Both the appeal site and a large part of the surrounding shopping street form part of the Central (City and University) Conservation Area. The significance of this part of the conservation area derives from the commercial uses within this part of the historic city of Oxford and the shop frontages reflecting their historic proportions and/or features.
4. The application site consists of the existing shopfront of 35 Cornmarket Street which is a Grade II listed building. According to the Heritage Statement¹, the ground floor of the building has been used as commercial premises since at least 1839. It became used as a restaurant in around 1969; originally as a Wimpy, and became Kentucky Fried Chicken (KFC) in 1984. Paragraphs 3.09 and 3.10 of the Heritage Statement, photographs show that in 1987-89 there was an internally illuminated fascia and projecting sign of left-hand pillar (with the shop entrance located at the centre with bays either side). The photos on page 13 show that by 2002, this had been replaced with an internally illuminated fascia with an externally illuminated projecting sign on the right-hand pillar.
5. The application in this case seeks consent (in a retrospective manner) for two fascia box signs and one projecting sign. The fascia signs include a large black

¹ 35 Cornmarket Street, Heritage Statement August 2022 undertaken by Humble Heritage

box fascia with KFC lettering. On this there is a prominent face logo of KFC in a bucket style. These elements appear to have been placed upon the existing sign. In practical terms this further projects the signage away from the shop frontage. Similarly, the projecting illuminated KFC bucket shaped has a chunky box form design which projects out from the building by around 700mm from the fascia as shown on drawing M-PS8461-01 4/4 Rev A.

6. As detailed in the Officer's Report, the architectural qualities of the upper floors of the front elevation comprises finely detailed ashlar stonework, with a first floor arched window surround with moulded pilasters housing a recessed Venetian window, a corbelled cornice and string course. The windows are traditional sash windows with slender profiled timber frames. The shopfront is modern (circa 2003) and comprises timber framed fully glazed doors and windows, flanked by composite stone piers with a moulded timber cornice and lead flashing above.
7. The appeal scheme results in a jarring visual juxtaposition with the upper floors of this Grade II listed building. This is further exacerbated by the further projection of the fascia and its illumination. As a result, the signage fails to preserve or enhance the character or appearance of the conservation area, the special architectural features of the listed building, and similarly has an adverse impact on the visual amenity of the area.
8. The National Planning Policy Framework (the Framework), at Paragraph 136, provides that advertisements should be subject to control only in the interests of amenity and public safety. I have taken into account policies S1, DH1, DH2, DH3, DH6 and RE7 of the Oxford Local Plan 2036, which, amongst other aims seek to grant planning permission for new or changed shopfronts and advertisement consent where the design, positioning, materials, colour, proportion and illumination are not detrimental to assets with heritage significance and so are material in this case in terms of amenity considerations. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.
9. For the reasons given above, I conclude that the display of the updated external signage scheme sought would be detrimental to the interests of amenity. The appeal is therefore dismissed.

C Parker

INSPECTOR