



Appeal Decision

Site visit made on 20 June 2023

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 30th June 2023

Appeal Ref: APP/C1570/Z/22/3305908

The Recorders House, 17 Town Street, Thaxted, Essex CM6 2LD

- 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 Mrs Kathryn Starr of Gifted against the decision of Uttlesford District Council.
 - The application Ref UTT/22/1463/AV, dated 17 May 2022, was refused by notice dated 7 July 2022.
 - The advertisement proposed is described on the application form as a hand painted sign on the render at the front.
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Decision

1. The appeal is allowed and express consent is granted for the display of a hand painted sign on the render at the front as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the Regulations.

Preliminary Matters

2. The description of the proposed advertisement is taken from the application form as it is clearer than the decision notice which refers to 'the fascia of the building'.
3. There was an associated listed building consent application for the same proposal with the reference UTT/22/1317/LB. However, the documents submitted with this appeal relate to the refused advertisement consent application only. Therefore, I have only had regard to this application in my decision and have only granted advertisement consent, not listed building consent. Such consent may also be required before the proposal can commence. This would be matter for the appellant and the Council to address.

Main Issue

4. The main issue is the effect of the proposed advertisement on amenity having regard to the Grade II* listed building known as the Recorders House and Thaxted Conservation Area.

Reasons

5. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The appeal property is listed Grade II* and is a mid 15th century three storey town house jettied at first and second storey. It is timber framed with painted render on the front elevation and timber sash windows on each floor. The first floor bay windows rest on distinctive oriel cills carved with

a griffon on one and the coat of arms of Edward IV on the other supported by a lion and a bull. The front elevation thus makes an important contribution to the special architectural and historic interest of the listed building.

6. Thaxted Conservation Area covers the historic core of the settlement and approaches into the centre. Its character and appearance is greatly influenced by the high quality nature of historic buildings, townscapes and spaces. Town Street is a wide road in the middle of the conservation area with a mix of commercial and residential properties. The buildings vary in age, size and design, but they are of architectural and historic interest and many have painted facades. The appeal property due to its prominent height and architectural details is a key part of Town Street and thus makes an important contribution to the character and appearance of the conservation area.
7. The appeal property operates as mini department store with a large hanging sign over the front door containing the name of the shop (Gifted). It previously functioned as a restaurant and a shop amongst earlier uses. Unlike many of the other commercial properties on Town Street, it has no conventional shopfront details. The ground floor is framed by the first floor jetty, but there is no fascia. However, historic photographs reveal that previous uses of the property utilised the space between the first and ground floor windows for signage purposes. This included a large and rather crude box sign in the latter half of the 20th century but also more discreet painted letters and more proportionate signage at other times.
8. The proposal involves painting the words 'Purveyors of Thoughtful Goods' between the ground and first floor windows and moving the hanging sign up the building. The lettering would be matte black in a simple font and would be in proportion with the space between the windows. This would ensure that the lettering would not be overly prominent. Consequently, the distinctiveness of the carvings on the oriel cills would not be diminished, and it would not result in a cluttered front elevation. Moreover, there is a historical precedent for painted lettering on this part of the building and it would be entirely reversible. Thus, the proposal would have a sympathetic effect and would not cause harm to amenity in terms of the listed building or the conservation area.
9. The parties disagree on the justification for the proposal with the appellant stating that they wish to increase trade and the Council referring to the existing signage. However, advertisements should be subject to control only in the interests of amenity and public safety and cannot be refused if considered to be unnecessary. In any case, I have not identified any harm to amenity arising from the proposal. For the avoidance of doubt, I do not consider the proposal would have a harmful effect on public safety either.
10. In conclusion, the proposed advertisement would have an acceptable effect on amenity as required by the Regulations and would not harm the Grade II* listed building known as the Recorders House or Thaxted Conservation Area. It would adhere to paragraph 136 of the National Planning Policy Framework (NPPF) which seeks to avoid poorly sited and designed advertisements. There would be no harm to the significance of heritage assets having regard to NPPF paragraphs 199, 200 and 202. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply to advertisement consent but nevertheless the proposal would preserve the special interest of the listed building.

11. In coming to my conclusion, I have considered Policies GEN2, ENV1 and ENV2 of the Uttlesford Local Plan 2005 which, amongst other things, require proposals to be compatible with surrounding buildings in terms of design, to preserve or enhance the character and appearance of conservation areas, and to be in keeping with the scale, character and surroundings of a listed building. Given that I have found that the proposed advertisement would not harm amenity, there would be no conflict with these policies.

Conditions

12. The formal decision notice refers to the five standard conditions set out in Schedule 2 of the Regulations. The application form seeks a ten year consent period for the advertisement (from 1 June 2022 until 1 June 2032). All consents are automatically given for five years after which the advertisement will have the benefit of deemed consent. In the absence of any reason to extend the consent period, I have applied the standard five years.

Conclusion

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

Tom Gilbert-Wooldridge

INSPECTOR