



Appeal Decision

Site visit made on 4 July 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th July 2023

Appeal Ref: APP/N4205/Z/23/3316435

87 Lee Lane, Horwich, Bolton BL6 7AU

- 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 Mohammad Amin of The Familia against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 14970/22, dated 5 December 2022, was refused by notice dated 23 January 2023.
 - The advertisement proposed is described as 'shop sign on front of the shop, display shop name and phone.'
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Decision

1. The appeal is allowed and express consent is granted for the display of an internally illuminated fascia sign at 87 Lee Lane, Horwich, Bolton BL6 7AU in accordance with the terms of the application, Ref 14970/22, dated 5 December 2022. The consent is for five years from the date of this decision and is subject to the five conditions set out in the Regulations.

Preliminary Matters

2. The description of the advertisement given in my formal decision above is taken from the Council's Decision Notice rather than the planning application form, as this is a more concise and accurate description.
3. The Council has drawn my attention to the policies it considers to be relevant to the appeal and I have taken them into account as a material consideration. However, powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) the control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

4. The Council has not identified harm to public safety and therefore the main issue is the effect of the advertisement on the amenity of the area, with particular regard to the character and appearance of the host building and the Horwich Town Centre Conservation Area.

Reasons

5. The appeal property is within a terrace of brick commercial premises located within the Horwich Town Centre Conservation Area (CA). As such, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had regard to the

statutory duty to pay special attention to the desirability of preserving and enhancing its character or appearance. The CA is linear in character and Lee Lane forms its heart and includes a wide range of architectural styles and building types which contributes to the special character of the area.

6. The appeal seeks consent for a fascia sign that has already been installed in accordance with the submitted details. The properties throughout the CA display a very wide variety of form, design and colour of shop fronts, and depth, materials, and lettering of fascia signs. Although there are some examples of fascia signs which are relatively narrow, there are many that are of a similar depth. Furthermore, there are a significant number of signs that protrude from the face of the building by a similar depth to the appeal advertisement including the fascia sign on the adjoining property.
7. Whilst part of the sign projects above the main fascia, overall, it is at a similar height to that many of the others in this terrace, just below the level of the first-floor windowsills. In this respect it maintains the horizontal rhythm of the facias in this parade and the character of the upper floor of the building, including the stone window surrounds, remains visible.
8. The style, lettering and colours are relatively restrained and appropriate in relation to the appeal property and the wider area. The sign is internally illuminated, however there is nothing before me that suggests that the level of luminance is excessive.
9. The Horwich Town Centre Conservation Area Appraisal (CAA) encourages hand-painted signs and indicates that advertisement consent will not be given for internally lit projecting signs. The proposal is not hand-painted, nonetheless such signs are not commonplace within the CA. In addition, whilst it is internally illuminated it is a fascia and not a projecting sign. Accordingly, the appeal advertisement is not contrary to the advice of the CAA.
10. Overall, the fascia sign is not unusual in its dimensions and appearance in comparison with many others in the wider CA. It does not appear incongruous in relation to the host building, and its effect on the character and appearance of the CA is neutral.
11. I therefore conclude that the appeal scheme would not cause harm to the amenity of the area, including the character and appearance of the host building and the CA. Insofar as they are relevant to the issue of visual amenity, it complies with Policies CG3 and OA1.9 of Bolton's Core Strategy Development Plan Document (2011) which, amongst other things, seek to conserve and enhance local distinctiveness and the significance of the CA as a heritage asset.

Conditions

12. The five standard conditions set out in the Regulations are necessary (and they do not need to be repeated in this decision). The Council has not suggested any additional conditions and I agree none are necessary.

Conclusion

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

Elaine Moulton INSPECTOR