



Appeal Decision

Site visit made on 15 January 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 14th February 2024

Appeal Ref: APP/E2340/Z/23/3328987

Hollin Bank Works, Manchester Road, Nelson, Lancashire BB9 7SJ

- 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 Assad Ali against the decision of Pendle Borough Council.
 - The application Ref 23/0315/ADV, dated 16 May 2023, was refused by notice dated 12 July 2023.
 - The application is for installation of an illuminated 1 no. fascia sign.
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Decision

1. The appeal is allowed and permission is granted for the installation of an illuminated 1 no. fascia sign to Hollin Bank Works, Manchester Road, Nelson, Lancashire in accordance with application ref: 23/0315/ADV dated 16 May 2023 subject to the conditions set out in the schedule below.

Main Issues

2. The main issue is the impact of the proposal upon the character and appearance of the area.

Reasons

3. The proposal before me seeks permission for an illuminated fascia sign to serve an existing fish restaurant. It appears that the signage is now retrospective. At the time of being assessed by the Council the work was in progress but had not been completed.
4. The building upon which the sign is located is part of a modern steel light industrial row of units that stand some way back from the main Manchester Road and its roundabout junction with the A682 Churchill Way.
5. The scheme which has been implemented has installed extended shopfront windows so to open the unit up for the sale of fish and chips. The branding associated with the shop appears to be one of newspaper wrapping, a motif of which has been installed over much of the unit in question. Supplementary to this is a linear sign that contains the lettering 'Mother Hubbard's Famous Fish & Chips' which would consist of white lettering with letters being individually illuminated at night.
6. Not far from the appeal site I saw that the majority of the wider streetscene is composed of traditional terrace dwellings running alongside the main Manchester Road. I consider that such buildings and areas of historic

townscape are positive and distinctive elements of the area that eventually lead into the Whitefield Conservation Area.

7. The appeal site however, along with the nearby petrol station and imposed highway layout of the roundabout, create a noticeable departure from this more distinct, historic character. As a result, the appeal site occupies an area of low architectural quality and, moreover, an element of built form that I consider is not particularly sensitive to change. Nor does this site in isolation affect the experience of the more distinct areas nearby.
8. Although I acknowledge the traditional quality of the area in general therefore, the departure of this particular site from this character leads me to the conclusion that, whilst not to everyone's taste, the proposed signage would not be overly harmful to the character and appearance of the area as a whole so as to lead me to conclude against this appeal.
9. As such I find that the general character of the area would be preserved and that there would not be sufficient conflict with Policy ENV2 of the Pendle Local Plan Part 1: Core Strategy to lead me to dismiss this appeal.

Conditions

10. The conditions below reflect the standard conditions as contained within Schedule 2 of the 2007 Regulations as well as the two other non standard conditions as proposed by the Council so as to protect the safe and efficient use of the highway and the need for the proposal to be implemented in accordance with the proposed plans.

Conclusion

11. For the reasons above, taking into account the particular criteria of this proposal, I allow the appeal subject to the conditions as outlined in the schedule below.

A Graham

INSPECTOR

SCHEDULE OF CONDITIONS

1. The proposal hereby approved shall be carried out in accordance the following approved plans: MO/01 Dwg 02A and MO/01 Dwg 03A.
2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited or displayed so as to— (a)endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b)obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c)hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
7. The limits of the illuminance shall not exceed 600 candela per square metre.
8. Any external source of lighting shall be effectively screened from the view of a driver on the adjoining public highway.