



Appeal Decisions

Site visit made on 2 April 2024

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 April 2024

Appeal A Ref: APP/F1610/H/23/3333082

Taylor and Fletcher Ltd, The Square, Stow-on-the-Wold, Gloucestershire GL54 1BL

- 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 Young and Co's against the decision of Cotswold District Council.
- The application Ref 22/04523/ADV, dated 28 December 2022, was refused by notice dated 19 September 2023.
- The works proposed are described as "new corporate signage due to the property becoming a hotel and connected to the nearby public house (The Bell)".

Appeal B Ref: APP/F1610/Y/23/3333083

Taylor and Fletcher Ltd, The Square, Stow-on-the-Wold, Gloucestershire GL54 1BL

- The appeal is made under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Young and Co's against the decision of Cotswold District Council.
- The application Ref 22/04524/LBC, dated 28 December 2022, was refused by notice dated 19 September 2023.
- The works proposed are described as "proposals to provide external company signage".

Decision

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

Preliminary Matters

3. Notwithstanding the descriptions of works set out above, which are taken from the application forms, it is clear from the plans and accompanying details that the works comprise applied lettering, hanging signs and a plaque sign. The Council dealt with the works on this basis and so shall I.
4. Taylor and Fletcher is a grade II listed building within the Stow-on-the-Wold and Mangersbury Conservation Area, and it is near to other listed buildings, including 11 Market Square, The Talbot and The Kings Arms. As required by Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

5. The spelling of the name of the appeals property as used above comes from the original application forms and from the Council's decision notices. The listing reference describes the building as Tayler and Fletcher, a name that also occurs within the appellant's evidence. Given the evidence before me, including what I saw at my site inspection, I am satisfied that the building referred to in the listing description is that which is the subject of the appeals.
6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) advise that factors relevant to amenity include the general characteristics of the locality, such as the presence of any feature of historic, architectural, cultural or similar interest. This would encompass listed buildings and conservation areas.
7. As set out above, there are two appeals on the same site, one seeking advertisement consent and the other listed building consent. I have considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issues

8. The main issues for both appeals are the effect of the works on public amenity, and whether the works would preserve the special architectural or historic interest of a listed building and its setting, and linked to that, whether they would preserve or enhance the character or appearance of the conservation area.

Reasons

9. Taylor and Fletcher is one of several high-quality historic buildings that surround the Market Square. Constructed of coursed rubble stone under a parapet and band, this multi-phased building has an imposing presence in the town centre, in part due to its position near to the junction with Digbeth Street, but also due to its balanced openings that are centred upon the main door with an arched niche above. There are long views of the property within the Market Square, and the elegant, mannered appearance of the building, with its impressive form in such a prominent position, along with its construction from local stone, are all part of the significance of this listed building.
10. To the rear of the property are timber gated former carriage entrances within coursed rubble stone walls that provide access into the courtyard from Sheep Street. The rear elevation of the building has a clear, functional appearance, with controlled entrances and storage lofts to service the building. There is a distinct and legible contrast between the primacy of the elegant and imposing front elevation within a principal area of the town compared to the functional, plain appearance of the rear. The different natures of the elevations, along with the position within the town, are all part of the special interest of this listed building.
11. The high-quality historic form and appearance of the building, along with its legible public and service elevations, makes a positive contribution to the character and appearance of the conservation area. The Market Square is the focal point of the town, surrounded as it is by a mix of mostly high-status historic buildings constructed from local stone that enclose the public area. Near to the appeals property there are other listed buildings, including the imposing forms of The Talbot and The Kings Arms, with 11 Market Square

(No 11) being a modestly sized and detailed two-storey shop. The former two buildings by reason of their size, height and rich architectural forms and detailing, are eye-catching. The variety of commercial uses within the Market Square creates a vibrant and bustling appearance. This and the presence of numerous high-quality buildings, the repeated use of local stone, and the enclosure of the Market Square are all part of the significance of the conservation area.

12. Many of the roads within the town lead to the Market Square, reflecting its historic and functional importance, and there are terraces of buildings either side of these roads that serve to enhance the physical dominance of the Market Square. Along the primary roads within the town, such as Sheep Street and Park Street, the generous width of the roads and that they are also mostly flanked by historic buildings constructed of local materials reflects the function and hierarchy of uses within the town over time. All these elements, including the conspicuous and dominating importance of the Market Square and the buildings around it, are part of the distinctive character and appearance of the conservation area.
13. The proposed signage would be to both the front and rear elevations of the property, reflecting its change of use from a shop and offices to a hotel. Apart from traffic signs to one side of the front door, both elevations of the building are free from signage, albeit the bracket of a former hanging sign remains upon the front elevation. Upon the front of the building the works would comprise applied lettering and a hanging sign, both of which would be statically illuminated, and an entrance plaque would be positioned to one side of the front door, necessitating the relocation of the traffic signs. The lettering and hanging sign would be positioned close together, just under the stone band.
14. The presence of two illuminated signs in such close proximity in an elevated position would appear as a bright and distracting cluster upon this historic building. The elevated concentration of illuminated signage within one corner of the building would appear contrived and at harmful odds with its elegantly mannered, balanced appearance. It might be that the hanging sign could be hung from a bespoke gibbet arm, but the sign would be of non-traditional materials and finish which would harshly conflict with the natural stone walls and the historic appearance of the area. Having regard to the dominating presence of the signs, they would fail to preserve the listed building as well as detract from the historic cohesion of the settings of those nearby, contrary to requirements of the Act.
15. Given the numerous commercial and service uses in the area, there is a variety of signage present. Nevertheless, a repeated theme amongst the signs is their mostly non-illuminated nature, and their construction from traditional materials, with some properties having text painted onto the stonework. Some buildings have applied lettering, and many have fascia signage, and hanging signs of painted wood are a feature of the centre of the town. Whilst the appellant considers the position of the signage would make it visible above the projection of the adjoining building, the presence of two illuminated signs in such close proximity to each other would be conspicuously apparent from long distances away. Such a dominance would be unacceptably disruptive to the character and appearance of this part of the conservation area where the prevalence of so many high-status historic buildings is such that no one building dominates.

16. The appellant's Signage Audit Statement provides examples of other signs within the area. Several of the properties referred to are not within the Market Square. Given the unique, enclosed nature of the Market Square, particularly at its southern end, the fundamental differences in location are such that these comparisons do not form a binding precedent for allowing the signs upon the front elevation of the building. Of those examples that are near the appeals property, The Talbot and The Kings Arms have illuminated hanging signs, with the latter having illuminated applied lettering and the former having illuminated plaques. Both these buildings are three stories, and their height is such that the top floors remain clear of signs. This reduces the dominance of the signage as it has a legible subservience to the proportions of the building, unlike that which would occur with the proposed signs whereby their concentrated location and illuminated nature would appear oddly constrained by the two-storey height and architectural detailing, as well as overwhelming the more modest form of No 11.
17. The appellant considers the building has no natural fascia line, with the space between the windows restricting signage options, and also points out the building's history of high-level signage. The previous applied lettering was polymer based, but neither this nor the fascia sign, nor those within the filled-in doorways were illuminated, and there was a modestly sized fascia sign above the front door. As regards the appellant's fears of the signs being targeted for vandalism and interference, numerous other properties have signs at a lower level than proposed, nor has it been explained why the signs would be targeted in such a way.
18. In addition to the lettering and hanging sign, an entrance plaque would be positioned to one side of the front door, which would necessitate the relocation of the traffic signs that are currently upon the building. The front door would be flanked either side by miscellaneous signs, forming another discrete cluster of signs, as well as resulting in a cluttered, fussy appearance that would detract from the elegant balanced nature of the building and the dominance of the front door as a focal point. Given this positioning, the plaque would unacceptably harm the special interest of this mannered listed building.
19. Illuminated applied lettering and a hanging sign have also been proposed to the rear of the building. This elevation has a legibly utilitarian appearance with its carriage openings and loft doors reflecting its role as a means of secured access to the courtyard beyond. Whilst the signs would provide future users of the hotel with a clear directional instruction for parking, the presence of so much illuminated signage would be at harmful odds with the modest, unadorned appearance of the rear elevation. In a location where many of the nearby hanging signs are not lit the presence of illuminated brass applied lettering and an illuminated hanging sign constructed of non-traditional materials would combine to be harmfully conspicuous, detracting from the functional simplicity of the listed building and the cohesive historic appearance of the conservation area. Furthermore, the submitted drawings show two different locations for the hanging sign (drawings entitled: BS2030.02A and Market House proposed 1/2). Irrespective of this, the nature of the sign would be such that unacceptable harm would arise whichever position was chosen.
20. The appellant has drawn my attention to the signage upon The Unicorn and The Bell, properties that are upon Sheep Street and Park Street. However, unlike the modest service nature of the rear of the appeals property, both

these buildings front the public highway, having a legible and commanding presence in the street scene. These significant differences, particularly that they are large, impactful buildings, are such that the weight afforded to such comparisons is limited.

21. The National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The scheme would harm the significance of the listed building, the settings of those nearby, and also that of the character and appearance of the conservation area. These harms would be less than substantial given the size of the listed building, the settings, and that of the conservation area. However, these harms would be of considerable importance and have to be weighed against the public benefits of the proposal.
22. The appellant considers objectives of the Framework that support businesses would be met by the works, with the signs being a commercial necessity. The use of the building would provide modest public benefits, and the signage would make the property easily recognisable. However, the appellant has not demonstrated how and why these particular signs are so essential to the commercial success of the business, nor why such objectives could not be achieved through alternatives. Furthermore, the change of use has not yet occurred and the future viable use of the building being dependent upon the works cannot be assumed. Consequently, the public benefits arising from the scheme would not outweigh the significant harms that I have identified.
23. For these reasons, the signs would unacceptably harm the visual amenity of the area, and would neither preserve nor enhance the character or appearance of the conservation area, nor preserve the special interest of the listed building and the settings of those nearby. The modest public benefits would not outweigh the significant harms. Given the size, position, materials, and illumination of the signs, the suggested conditions would not ameliorate the harms that would arise. The signs would fail to accord with objectives of the Framework that seek to control advertisements in the interests of amenity, and also with those that attribute great weight to the conservation of designated heritage assets.
24. The main parties have referred to development plan policies within the Cotswold District Plan (2018) (DP), and also the guidance within the Cotswold Design Code. I have taken the policies and code into account as material considerations in the determination of the appeals, albeit development plan policies are not determinative in listed building and advertisement cases. Given that I have found the works would harm the amenity of the area, the character and appearance of the conservation area, the special interest of the listed building, and the setting of those nearby, there would be conflict with DP Policies EN2, EN10 and EN11. This is because these policies seek amongst other things, the protection and enhancement of historic environmental assets, with great weight given to the conservation of designated heritage assets, and to preserve and enhance the special character of a conservation area. Nor would the proposal accord with the Design Code which requires signage to be appropriate to the building and an area, not to be visually dominant, incongruous, or create visual clutter, and that hanging signs should be framed painted timber on simple, traditional metal brackets.

Other Matters

25. The property is within the Cotswolds Area of Outstanding Natural Beauty (AONB), and the Framework requires great weight to be given to conserving and enhancing the landscape and scenic beauty of these designations. The signs would be within a densely built-up part of the town where there are a variety of uses. In such a context the signage would not significantly harm the natural landscape and scenic beauty of the AONB.
26. Finally, the appellant has raised concerns regarding the Council's handling of the applications, including the nature of the site visit and delays in decision making. Such concerns fall to be pursued by other means separate from the appeal process and are not for me to consider.

Conclusion

27. Thus, for the reasons given above, and having considered all other matters raised, the appeals are dismissed.

J J Evans

INSPECTOR