



Appeal Decisions

Site visit made on 14th June 2024

by M Woodward BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 July 2024

Appeal A: APP/T3725/Y/24/3339603

Premier Inn, 154-156 Parade, Leamington Spa CV32 4BQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Premier Inn Hotels LTD against the decision of Warwick District Council.
 - The application reference is W/23/1636/LB.
 - The works proposed are the display of signage including 1no. halo illuminated individual letter sign and 2no. wall mounted directional signs.
-

Appeal B: APP/T3725/H/24/3339604

Premier Inn, 154-156 Parade, Leamington Spa CV32 4BQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Premier Inn Hotels LTD against the decision of Warwick District Council.
 - The application reference is W/23/1635.
 - The advertisement proposed is a scheme of signage including 1no. halo illuminated individual letter sign and 2no. wall mounted directional signs.
-

Decision

Appeal A

1. The appeal is allowed and listed building consent is granted for the display of signage including 1no. halo illuminated individual letter sign and 2no. wall mounted directional signs at Premier Inn, 154-156 Parade, Leamington Spa CV32 4BQ, in accordance with the terms of the application Ref: W/23/1636/LB, subject to the following conditions:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
 - 2) No works shall take place until full details of the signage hereby approved, submitted on a drawing at a 1:10 scale, which shall include details of any works required to the fabric of the existing building, including the installation of fixtures and fittings, along with details of any remedial works necessary to make good the fabric of the building due to the removal of the existing signage, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Appeal B

2. The appeal is allowed and express consent is granted for the display of a scheme of signage including 1no. halo illuminated individual letter sign and 2no. wall mounted directional signs at Premier Inn, 154-156 Parade, Leamington Spa CV32 4BQ, in accordance with the terms of the application Ref: W/23/1635. 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 2007 Regulations and the following additional condition:
 - 1) The illuminated individual letter signage hereby permitted shall only be halo illuminated by white light.

Preliminary Matters

3. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the proposed signage on the visual amenity of the area having special regard to whether it would preserve a Grade II listed building, '152-164, Parade' (Ref: 1381435) and any of the features of special architectural or historic interest that it possesses and the extent to which it would preserve or enhance the character or appearance of the Royal Leamington Spa Conservation Area.

Reasons

5. The listed building forms part of a terrace dating from the early 19th century, with later additions, including alterations to the ground floor to accommodate commercial uses. The appeal site relates to a portion of the building which is four storeys in height with a painted stucco façade, which displays a symmetrical arrangement of tall French windows set behind intricate balconies at first floor level, with sash windows above. Reflective of the wider building's classically inspired Regency style, the ground floor includes an entablature above columns, which frames a large, recessed shop window, contributing to the building's grandeur and refined elegance. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the use of traditional materials and the symmetry and elegance of its main façade.
6. The Royal Leamington Spa Conservation Area (CA) covers a large part of the town centre. This includes the appeal site, which is located on the Parade, one of the main historic thoroughfares. It is characterised by imposing buildings which exhibit an elegant Regency style, with shops and businesses mainly occupying the ground floor units. These units comprise both formal traditional shop fronts, and those with a minimalist design which are largely framed by stuccoed masonry. Given the above, I find that the significance of the CA, insofar as it relates to these appeals, to be primarily associated with the Regency character and historic legibility of its buildings.
7. The proposed halo illuminated individual lettering sign (signage) would be attached directly to the building's facade, replacing the existing letter signage. The Council does not dispute that there would be no discernible difference in

respect of the height, width, depth and font type of each letter proposed, in comparison with the equivalent letters in situ¹. Therefore, signage of the type and specification proposed generally reflects the existing signage that has been present on the appeal building for some time.

8. Whilst the proposed signage would also be constructed of modern materials, the simple, unadorned style of the individual lettering, along with the modest overall dimensions, would sit comfortably between the cornice and architrave at fascia level.
9. Whilst some of the signage, fronting other units forming part of the listed building, is of lesser height and projection, several examples occupy a greater horizontal proportion of the respective frieze or shop fascia, when compared with the proposed signage. In any event, the use of individual letters proposed would be restricted to the name of the business only, with each being sufficiently spaced and of modest scale, representing a restrained and unobtrusive form of advertisement.
10. For these reasons, the signage would allow the building's vertical emphasis and grandeur to be readily appreciated. It would respect the symmetry and fine architectural detailing and composition of the building, thus preserving its special interest.
11. Turning to the impact on the CA, the Council's Historic Building Guidance: Shopfronts and Advertisements, Royal Leamington Spa 2010 Supplementary Planning Guidance (SPG) states that '*...letters should not be greater than 300mm in height...*'. The Council do not dispute the appellant's assertion that the existing signage displays two individual letters, which are 411mm in height, notwithstanding disagreement as to whether the approved plans associated with previous consents permitted signage exceeding 300mm in height².
12. In any event, and irrespective of what has gone before, the proposal would result in only limited conflict with the SPG. Two of the proposed uppercase letters associated with the 'Premier Inn' lettering would be 400mm in height, with the remaining majority being less than the 300mm limit recommended by the SPG. Furthermore, whilst the signage would be readily visible from the Parade, as a principal shopping street, similar signage is commonplace, with many buildings displaying either lettering attached to fascia boards or, as would be the case here, individual letter signage attached directly to the façade, all of which vary in their style and overall composition.
13. Owing to the modest scale and simplistic design, the proposal would be in keeping with existing signage. Despite limited conflict with one specific aspect of the SPG relating to height, the scheme would preserve the overarching aim of the SPG, which is to preserve the Regency character of the CA, and the signage would not appear obtrusive in this traditional shopping street.
14. In respect of the other signage proposed, a wall mounted directional sign would replace a similar sign on the elevation facing Bedford Place. Another directional sign would be positioned facing Bedford Street, replacing an existing sign which lies on an inward facing wall. Moreover, existing letter and logo signage would be removed from the Bedford Street elevation. The Council raises no objections in this respect. I also find that these elements of

¹ Appendix 4 of the appellant statement of case

² Council planning references – W/11/1236 and W/11/1246/LB

predominantly replacement signage would be unobtrusive and discreet on the rear and side elevations, which are of lesser architectural significance, and which are set away from the historic shopping parade. Therefore, these elements would not detract from the Regency character of the CA or the architectural interest of the listed building.

15. Given the above, I conclude that, on balance, the proposal would not harm the visual amenity of the area and would preserve the special architectural interest of the Grade II listed building and the character and appearance of the CA, thus satisfying the requirements of the Act, paragraph 205 of the Framework, and development plan policies insofar as is relevant.
16. As I have concluded that the proposal would not harm amenity, there would be no conflict with Policies BE1, BE3, HE1 and HE2 of the Warwick District Local Plan 2011-2029 (2017) and RLS3 of the Royal Leamington Spa Neighbourhood Development Plan 2019-2029 (2021), which seek to protect amenity and so are material in this case.

Other Matter

17. Allowing these appeals would not set a precedence for similar forms of development on other sites as it is a well held planning principle that each case should be assessed on its own merits. I have determined these appeals having regard to the listed building and the CA, and the amenity of the area, the characteristics of which are unlikely to be directly comparable with hypothetical future proposals, which are likely to involve different detailed considerations.

Conditions

18. The Council suggests a condition relating to the commencement date, which I have imposed. Conditions relating to the approved plans are not necessary in this instance because my decision relates to express consent and listed building consent, and not planning permission. However, it is necessary to impose a condition requiring additional details relating to the method of fixing the signage to the building, as well as ensuring any suitable repair and restoration following the removal of existing signage, to preserve the special interest of the listed building.
19. In the interests of visual amenity and highway related public safety, a condition restricting the type of illuminance to halo lighting is also necessary.

Conclusion

20. For the above reasons the appeals are allowed subject to the conditions set out in these decisions.

M Woodward

INSPECTOR