



Appeal Decision

Site visit made on 9 October 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 November 2024

Appeal Ref: APP/J1915/Z/24/3348053

110 High Street, Ware, SG12 9AP

- 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 Mrs Angela Holtam, Thickbroom Chartered Accountants, against the decision of East Herts District Council.
 - The application Ref 3/24/0344/ADV, dated 21 February 2024, was refused by notice dated 17 June 2024.
 - The advertisement proposed is an internally illuminated window LCD display.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Ware Conservation Area (CA).

Reasons

3. The appeal relates to the ground floor of the appellant's business premises, which are situated in terrace, within the town centre and the CA. Commercial uses predominate in the vicinity of the appeal site and, consequently, advertising, both illuminated and non-illuminated are common. There is also a mix of external and internal illumination.
4. The proposal is to retain an illuminated LCD display within the main office window facing the High Street. The display would serve a number of functions in addition to advertising the business. For example, it would also display community notices and local events.
5. The Council considers that the proposed display would detract from the character of the streetscene and would fail to preserve or enhance the character of the CA. It cites policies HA1, HA4 and HA6 of the East Herts District Plan 2018 (DP). Policies HA1 and HA4 generally seek to ensure that proposals preserve or enhance the character or appearance of the CA, whilst Policy H6 lists criteria for determining advertisement proposals in the CA. These include a preference for non-illuminated signage or discreet external illumination if necessary.
6. The DP policies are not determinative when considering proposals for advertisement consent, which should be considered solely with regard to

amenity and public safety. Nevertheless, the policies help to guide decision makers, when assessing a proposal.

7. The appeal property is part of an attractive terrace at the end of the High Street, which has retained several original features. It appears to have both some architectural and historic merit. In my opinion, some of the shopfronts and existing signage in the locality detract from the character and appearance of the CA and the existence of other displays should not act as a precedent for this appeal proposal.
8. I consider that the proposed LCD display would detract from the character and appearance of the premises and this part of the CA, due to its prominent position within the front of the building and the contemporary means of display. It would appear alien and out of context with the property, given the age and appearance of the building.
9. In reaching my decision, I have noted both the local support for the proposal and that the previous tenant may have displayed a similar/larger advertisement. I also recognise that the matters such as display timings and a restriction on moving images could be controlled by conditions. Furthermore, I accept that there are other illuminated window displays in the locality. Notwithstanding, I have determined the proposal on its individual merits and I find it to be unacceptably harmful for the reasons given above.
10. Finally, the harm that I have identified is not outweighed by any public benefits that can be attributed to the display, including the possibility of advertising public and community events.

Conclusion

11. It is concluded that the appeal be dismissed.

Ian McHugh

INSPECTOR