



Appeal Decision

Site visit made on 22 October 2024 by E Street BSc (Hons)

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2024

Appeal Ref: APP/J0405/Z/24/3347068

22 Bridge Street, Buckingham, Buckinghamshire MK18 1EL

- 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 Bridge Barber Limited against the decision of Buckinghamshire Council - North Area (Aylesbury).
 - The application Ref is 24/00798/AAD.
 - The advertisement proposed is described as "advertisements for the business premises".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters and Main Issue

3. The description on the decision notice differs to the application form. However, I am satisfied that the original description adequately describes the development. This is shown above and on the application form. At the time of my site visit, the advertisement signs were in situ. The Council's amended description states that the proposal is seeking retrospective consent. I am satisfied that, based on the evidence submitted, the proposal can be considered on this basis.
4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out the relevant considerations for this type of appeal. These are amenity and public safety. The Council do not have concerns in regard to public safety and I have no reason to disagree. My recommendation therefore focusses on the effect of the advertisement on visual amenity with specific regard to the Buckingham Conservation Area (BCA) and the setting of listed buildings.

Reasons for the Recommendation

5. The appeal site is a prominent corner site on the entrance to the town centre which is a well-established retail unit currently being used as a barber shop. As well as being in the BCA, the appeal site is a non-designated heritage asset. The wider area is defined by the well-preserved streetscapes, varied retail units and mixed material palette. In addition, many of the surrounding units are

grade II listed buildings which, given their originality and quality contribute positively to a traditional historic shopping street scene, along with the appeal site. The surrounding shop fronts are well preserved and have a pleasant traditionality with painted fascias and original features exposed. All of which contribute positively to both the character and appearance of the area, the significance of the BCA and the setting of the grade II listed buildings.

6. Whilst colours and the protruding letters integrate well and complement the area due to the wide variety of colour palette and mix of lettering styles used, in totality, the combination thereof is at odds with the surrounding street scene due to being overly modern compared within the prevailing traditional forms. The two signs above the windows protrude forward in a boxed casement which are an incongruous addition shielding the existing characterful façade. The vinyl addition to the signage is large and obtrusive compared with the traditional painted decals of the surrounding area. The use of ceramic tiles is not a common characteristic and detracts from the homogenous and pleasant traditionality of the historic street scene and the setting of the surrounding grade II Listed buildings. Moreover, the combination of incongruous features impacts negatively on the overall attractiveness and quality of the street frontage and historic traditionality across both the appeal site as a non designated heritage asset and the surrounding listed buildings along the high street.
7. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. This statutory duty applies in advertisement appeals in so far as it relates to the consideration of amenity. The setting of listed buildings is in this case a relevant material consideration in terms of the appearance of the advertisements and consideration of amenity, but the statutory duty related thereto is not engaged. In both cases, the question of considering the harm against the public benefits as required by paragraphs 205 to 208 of the National Planning Policy Framework 2023 (the Framework) is not applicable.
8. With this and the above in mind, and appreciating that the acceptable colour and lettering in the proposal is a neutral matter, the signage taken as a whole is unacceptable in amenity terms, contrary to the 2007 Regulations. By association, and for the same reasons, the appeal scheme fails to either preserve or enhance the character or appearance of the BCA, detrimentally effects the quality of a non designated heritage asset and impinges unacceptably on the setting of grade II listed buildings. The Council has drawn my attention to Policies BE1 and BE2 of the Vale of Aylesbury Local Plan 2021 which seek to ensure that proposals are of a high quality with particular regard to amenity and public safety. The policies are a material consideration of the proposal and as a result of the above the scheme would not sit appropriately with their aims. However, they have not been decisive in the appeal.

Other Matters

9. Notwithstanding the above, the Council have followed the Framework in relation to the balancing exercise required for planning permissions in relation to the setting of listed buildings and non-designated heritage assets. However, as part of the advertisement regime it is explicit that the balancing exercise is not needed for non-designated heritage assets.

10. Photographs of other examples of similar development in other locations have been provided by the appellant. I am, however, unaware of their planning status and the finer details such as the circumstances which prevailed at the time or matters taken into account. Being mindful of the 2007 Regulations, they do not lead me to find other than I have above. The appellants have also raised concerns with the handling of the original application, but this is a matter for the appellant to resolve with the Council and not for me to form a view on here.

Conclusion and Recommendation

11. For the reasons given above, the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR