
Appeal Decision

Site visit made on 1 November 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/Y1945/Z/24/3349266

Atria Shopping Centre, Watford WD17 2UB

- 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 Darren Marshall of B&M against the decision of Watford Borough Council.
 - The application Ref 24/00487/ADV.
 - The advertisements are described as 2No sets of built-up halo-illuminated white block-out acrylic letters with 80mm returns complete with gloss orange vinyl ampersand to face of letters, and white internal LED halo illumination, letters to be finished in gloss white, mounted onto clear polycarbonate back trays and spacers.
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Decision

1. The appeal is dismissed.

Procedural and preliminary matters

2. The name of the appellant is given as Mr Iain Pratt of B&M Retail Limited on the planning appeal form, whereas the name appearing on the application form lodged with the Council is Mr Darren Marshall of B&M. As the right of appeal rests solely with the original applicant, I have proceeded on the basis that Mr Darren Marshall of B&M is the appellant in this case.
3. While the appellant has described the proposal as in the above heading, the Council has additionally referred to a new externally applied vinyl graphic. From my inspection of the plans, I consider that the Council's description more fully reflects the advertisements sought. I have assessed the proposal on that basis.
4. Reference is made to various planning policies and the National Planning Policy Framework (the Framework), to which I have had regard as relevant considerations. Powers under the Regulations to control advertisements may only be exercised in the interests of amenity and public safety, taking account of any material factors. In my determination of the appeal, the planning policies and the Framework have not therefore by themselves been decisive.

Main issue

5. The Council raises no objection in relation to public safety. From the submitted evidence, I have no reason to disagree with that finding. Accordingly, the main issue is the effect of the proposed advertisements on amenity.

Reasons

6. The proposed fascia advertisements would each occupy a prominent position above an emergency exit on the large elevation of the Atria Watford Shopping Centre. In this position, the new displays would face Beechen Grove, which is a busy multi-lane highway. The new signs would occupy a raised position in relation to the host wall and be seen along with two existing internally illuminated fascia signs with the words 'Dunelm – The Home of Homes'.
7. With two new additional displays in place, each being significant in size, internally illuminated during the store's trading hours, and in an elevated position on the wall, the proposal would be highly conspicuous and repetitive, giving rise to visual clutter and an excessive advertisement display on the building's highway frontage. That a new vinyl graphic would also be externally applied to the lower section of a tall window between the existing and new fascia signs would reinforce this impression. As a result, the proposed advertisements would cause harm to the visual amenity of the local area.
8. Beechen Grove forms part of the inner ring road to the Town Centre and I saw a variety of existing advertisements along its route. There are also signs elsewhere on the lengthy highway frontage of the Shopping Centre including those to which the appellant has referred and provided photographs and background details. Nevertheless, existing advertising on that part of the building to which the new signs would belong is restrained with only the Dunelm fascias readily evident. This approach allows the main architectural features of the building, including its brick walls, banding, tall windows and door openings to remain predominant. In that context, the proposed advertisements would appear unduly excessive even with some roadside vegetation in place to visually soften their presence. Even if the outer walls of the Shopping Centre were to be regarded as 'dated and bland', as the appellant suggests, there are other ways to add visual interest than introduce new advertisements, as proposed.
9. The new vinyl graphic would be modest in size in relation to the host building and situated at ground level. The window to which it would be applied does not offer an active frontage nor a view or access into or out of the commercial area of the Shopping Centre. However, the visual impact of the new vinyl graphic would be significant given the prominence of the host window to Beechen Grove and the vibrancy of blue and orange colours to be displayed. These colours would sharply contrast with the darker green windows just above and the plain brown brick of the host building. As such, the new graphic would draw the eye from the adjacent highway as a visually dominant and a discordant feature.
10. The appellant considers that the Council's decisions to approve the signage for TK Maxx and Dunelm set a precedent to follow. However, compared to the proposal before me, the TK Maxx advertisement differs in type, size and it addresses a different street scene. As a result, this example does not directly compare with any of the advertisements sought. The Dunelm signage, which is more extensive than the proposal, occupies a similar section of the Beechen Grove elevation. The Council states that the Dunelm signage replaced existing advertisements and so imply that the circumstances of its approval differ to those of the proposal, which the appellant contests. Irrespective, it is the cumulative effect of the existing and proposed signs that would give rise to

excess signage and visual clutter along this section of the site's frontage to Beechen Grove. Therefore, I attach limited weight to these decisions in support of the appeal.

11. Being noticeable in the local street scene obviously reflects the main purposes of the new advertisements, which is to draw the eye of passers-by and to inform them of the Company's presence. In doing so, I have no doubt that signage, as proposed, would be an effective way to attract attention and encourage custom to the Shopping Centre and the local economy. I also note that the appellant's Company has made a significant investment in recently taking up space within the Shopping Centre and has also created a range of employment opportunities. However, insofar as these matters relate to amenity, they do not outweigh the significant harm that I have identified.

Conclusion

12. For the reasons given above and having regard to all other matters raised, I conclude that the display of the proposed advertisements is detrimental to the interests of amenity and that the appeal should be dismissed.

Gary Deane

INSPECTOR