



Appeal Decision

Site visit made on 7 January 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal Ref: APP/M2840/Z/24/3350533

28 High Street, Higham Ferrers, North Northamptonshire NN10 8PA

- 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 Age UK Northamptonshire against the decision of North Northamptonshire Council.
 - The application Ref is NE/24/00028/ADV.
 - The advertisement proposed was described as '*signage to advertise the name and nature of the business*'.
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Decision

1. The appeal is dismissed insofar as it relates to poster sign 1, poster sign 2 and projecting sign 1.
2. The appeal is allowed insofar as it relates to fascia sign 1, fascia sign 2 and fascia sign 3 at 28 High Street, Higham Ferrers, North Northamptonshire NN10 8PA in accordance with the terms of the application Ref NE/24/00028/ADV, and express consent is granted for the display of fascia sign 1, fascia sign 2 and fascia sign 3. 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 Advertisement Regulations.

Procedural Matters

3. The application was initially described in the manner and terms set out in the banner heading above. However, in setting out my decision I have adopted a revised description to more readily identify the constituent parts of the proposed signage scheme. As this reflects the manner in which the submitted proposed plans refers to the signage, and how the Council's delegated officer report approaches the matter, I am satisfied that in doing so neither party would be disadvantaged. I have determined the appeal accordingly.
4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and Planning Practice Guidance (the Guidance) all make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. The Council have referred to Policies HF.DE1, HF.DE2 and HF.TCE1 of the Higham Ferrers Neighbourhood Plan (2016) ((HFNP), Policies 2 and 8 of the North Northamptonshire Joint Core Strategy (JCS) and Policies EN11 and EN12 of East Northamptonshire Local Plan Part 2 (ENLP), being policies that it considers to be relevant to this appeal. Reference is also made to former East Northamptonshire Council's '*Shop Front Design SPD*¹'. The Regulations require that the control of advertisements is exercised only in the interests of amenity and public safety, taking account of any

¹ Adopted 24 January 2011

material factors. Consequently, although I have taken these policies into account only insofar as they are material to matters of amenity and public safety, they have not been decisive in my consideration of this appeal.

5. A new and updated version of the Framework was published on 12 December 2024. With the exception of paragraph numbering, the parts of the Framework most relevant to this appeal have not materially changed from the previous iteration and, consequently, it has not been necessary for me to seek the further comments of the main parties in this respect. I have determined the appeal accordingly.

Main Issue

6. The Council's refusal reason does not cite any public safety concerns in relation to the advertisements at the appeal property, nor is there any further evidence before me to indicate that it would cause a traffic, highway or other public safety issue. Following my assessment of the evidence and on-site observations I too am satisfied that there are no public safety issues arising from the signage scheme.
7. Having regard to the above therefore, the main issue is the effect of the appeal signage upon amenity.

Reasons

8. The appeal site lies in a central location on the High Street and within the Higham Ferrers Conservation Area (the CA). The appellant describes the appeal scheme's signage as being a replacement for that which existed previously at the appeal property. Thus, there are similarities between previous signage and that for which consent is sought and is currently in place. In the interests of consistency I intend to deal with the signs in the same numerical order as shown on the submitted '*Existing and Proposed Elevations*'² drawing and as set out within the Council's delegated officer report.

Fascia Sign 1 – High Street elevation

9. The fascia sign across the property's front elevation appears to be a direct replacement for that of the previous occupier of the building, Colemans. Thus, like that fascia the appeal scheme occupies the gap between the top of the ground floor display windows and the sill level of the first-floor windows.
10. However, whilst the fascia does, to a very limited degree, overlap with the windowsills of the three upper floor windows I do not share the Council's concern as to the effect of this upon amenity. The extent to which it could be said to overlap the windowsills is limited and seems to me to be as much to do with the angle from which it is viewed as to any meaningful, or harmful, intersection between the two.
11. Moreover, whilst the fascia itself appears to be mounted directly to the top of the ground floor window surround, it stands slightly proud of the main first floor façade and therefore from the sill itself. This arrangement appears to be little different to that of the previous signage scheme and also broadly similar to that of the neighbouring premises at No. 30. Thus, the fenestration detailing of the upper floor windows remains intact and largely visible in its entirety and is easily reversible should further changes be sought in the future.

² Drwg No: 22-157-01

12. Nor does the depth of the fascia appear out of proportion with the shopfront, the building as a whole, or indeed with neighbouring buildings. Furthermore, the lettering does not appear to exceed $\frac{3}{4}$ of the depth of the fascia, as given as a general guide within the SPD. There are, without doubt, better examples of advertisements and shopfront fascia signs across commercial premises within the town centre. The appeal scheme perhaps also represents something of a missed opportunity for a wholly traditional signage scheme. Nevertheless, in and of itself I am not persuaded that fascia sign 1 causes harm to the character or appearance of the appeal property or the surrounding area and, thus, amenity.
13. Furthermore, whilst a missed opportunity this does not necessarily amount to harm in relation to the CA. This element of the appeal scheme almost entirely replicates a clearly long-standing signage scheme whilst, for the reasons set out above avoids harm to amenity.

Fascia Sign 2 – rear elevation

14. This fascia sign is located to the rear of the building and faces out on to service yard and parking area enclosed by buildings on three sides. The sign is barely visible from Westfields Terrace to the rear, glimpsed through the gap between the outbuildings that extend rearwards from the High Street properties towards Westfields Terrace. The extent to which this fascia sign is visible is therefore limited and it does not cause harm to amenity as a consequence.

Fascia Sign 3 – rear elevation (Westfields Terrace)

15. The appeal premises has an outbuilding that extends rearwards up to Westfields Terrace and is intended for use as a means to pick up and drop off items. The fascia is shallow to fit between the doors at ground and first floor levels but the lower edge of the panel nevertheless covers the top of the ground floor opening's timber door frame.
16. The loading doors at both ground and first floor level appear to be long standing openings, as indeed so too does the fascia panel, but are otherwise functional in their appearance. The fascia is not of excessive depth or width relative to the building's rear elevation, whilst the building is located sufficiently close to other existing commercial uses so as to not appear out of context of character with the surrounding uses. This sign does not, therefore, cause harm to the character, appearance or wider amenity of the appeal property or the surrounding area.

Poster Signs 1 and 2 – front elevation

17. There are two poster signs, one each on either side of the entrance door and smaller of the shop windows which also replicate similarly located and sized signs previously present prior to the appellant's occupation. Whilst such signage is not altogether absent from commercial frontages along High Street, it is not common.
18. The signs in this instance are large; larger than might otherwise be expected for signs like menu boards or store opening hours which are typically located in similar positions near entrance doors. The area of wall around these signs, above at first floor and on the neighbouring building are all crisp, smooth render which gives these remaining areas a clear appearance. The presence of the poster signs is in stark contrast therefore to the sharp, clean lines of the rendered elevations of No

28 and its neighbour, resulting in a cluttered frontage at eye level that is harmful to the amenity of the appeal building and the surrounding area.

Projecting Sign 1

19. The projecting sign is only small, but it is mounted at a relatively low level on the building frontage just above one of the poster signs (poster sign 2). Although not particularly obtrusive in itself, when viewed in conjunction with the poster signs and the fascia board, the result is a cluttered and jumbled frontage that is harmful to the character, appearance and amenity of the appeal property and surrounding area.

Overall conclusion on signage

20. For the reasons set out above, the fascia signs (1, 2 and 3) are all considered to be acceptable and would not harm the amenity of the appeal property or the surrounding area. However, the poster signs (1 and 2) and the projecting sign would result cumulatively in a cluttered and jumbled building frontage, the prominence and thus harmful effects of which would be compounded by the position of these at eye level and a human scale to pedestrians. These signs would cause material harm to the amenity of the appeal building and the surrounding area, and would fail to preserve the character and appearance of the CA.
21. There are a number of listed buildings close to the appeal site. The Council have concluded that none of the signs included within the appeal scheme would cause harm to the setting of the listed buildings. I agree. However, the absence of harm in this respect does not justify the harm I have identified arising from poster signs 1 and 2 or the projecting sign 1 and, for these reasons the appeal insofar as it relates to those signs should fail. The appeal in relation to fascia signs 1, 2 and 3 should be allowed.

Conditions

22. The Council has not indicated that any further conditions, other than the standard conditions, should be imposed. It is not necessary for me to repeat the standard conditions, other than to draw the appellant attention to their provisions as set out within the Regulations. Nor have I been presented with any compelling reasons to impose any further conditions beyond those standard conditions.

Conclusion

23. For the reasons I have set out above, I consider the fascia signs 1, 2 and 3 to be acceptable and cause no harm to the amenity of the area. I conclude that the appeal, insofar as it relates to these elements of the scheme, should be allowed. However, for the reasons set out above the appeal, insofar as it relates to the poster signs 1 and 2 and the projecting sign 1 should be dismissed.

G Robbie

INSPECTOR