



Appeal Decision

Site visit made on 10 February 2025

by **Andrew Dale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 February 2025

Appeal Ref. APP/C1950/Z/24/3351950

Pizza Express, 40-42 Howardsgate, Welwyn Garden City AL8 6BJ

- 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 Pizza Express against the decision of Welwyn Hatfield Borough Council.
 - The application ref. is 6/2024/1036/ADV.
 - The advertisements proposed are: "1 set of halo illuminated fascia text
1 internally illuminated projection sign".
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Decision

1. The appeal is dismissed.

Preliminary matters

2. Since the appeal was submitted, a revised National Planning Policy Framework (the Framework) has been published. The new version does not materially differ from the previous one insofar as it relates to the main issue in this appeal and has not raised any new matters which are determinative to the outcome of the appeal.
3. Under the above Regulations powers to control advertisements are to be exercised in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material and any other relevant factors. The Framework and the Planning Practice Guidance reiterate this approach.
4. The advertisements were already being displayed at the time of my site visit. The submitted proposed front elevation drawing showed that the fascia panel (containing the halo illuminated fascia text) would also be fitted, along its bottom edge, with 60 warm white LED bulbs. The parties have referred to these bulbs as fairground lights. I saw several more than 60 such lights in place. In these circumstances, I have determined the appeal based on the submitted drawings as a proposed scheme.

Main issue

5. The Council did not object on the grounds of public safety. Based on my observations and the written evidence, including the response of the Highway Authority, I see no reason to disagree with that stance. The Council's concerns on amenity centred on the fairground lights. The main issue is therefore the effect of the proposed fairground lights on the visual amenity of the site and its surroundings.

Reasons

6. Whilst amenity is not defined exhaustively in the Regulations, they indicate that factors relevant to amenity include the general characteristics of the locality,

including the presence of any features of historic, architectural, cultural or similar interest. Paragraph 141 of the Framework explains that the quality and character of places can suffer when advertisements are poorly sited and designed.

7. The appeal concerns a ground floor restaurant. It is part of a 3-storey terraced building on the southern side of Howardsgate which is in the commercial centre of Welwyn Garden City. The site falls within the Welwyn Garden City Conservation Area (CA). There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, insofar as it relates to the consideration of amenity.
8. The CA is a designated heritage asset of some significance. Howardsgate was deliberately designed as an attractive landscaped boulevard with a generous area of public open space separating the northern and southern sides of the road. The long 3-storey host terrace, an early Garden City building, has a typical neo-Georgian theme and shopfronts with designed entablatures. It displays a strong degree of uniformity and symmetry and contributes to the townscape quality of the CA.
9. Like most of the other commercial premises hereabouts, being built up to the back of the footway, the appeal property and its fascia panel are prominent within the street scene. They also catch the eye of observers who are approaching along a path through the open landscaped area from the northern side of Howardsgate. Moreover, the prominence of the appeal property is increased owing to its obviously central position within the terrace which is marked by doorways, decorative railings and balconies on the first floor directly above the restaurant.
10. Signage is an integral part of high street businesses and I have had regard to the stated needs of the particular business concerned. I also acknowledge that there is a variety of signage and accompanying means of illumination across the city centre. However, like the Council, I consider that, in the context of this particular terraced building on a prominent site in the CA, the display of closely-spaced fairground lights would be unsympathetic, even if they were reduced in number to 60 as proposed.
11. I saw no other unconcealed light bulbs in such numbers across a fascia in the vicinity of the site. This display of lights would be uncharacteristic of the traditional, well-designed fascia boards and signs in the host terrace, to the extent that they would disrupt the designed harmony and unity evident in the appeal building and the terrace as a whole. Moreover, when approaching the site on the adjacent footway, I saw how, in angled views, the light bulbs appear to combine together to give the impression of a continuous strip light along the bottom of the fascia. At the lunchtime period of my visit, even though each bulb may emit a low level light, this appeared visually intrusive and insufficiently discreet. In that regard, the proposed fairground lights would be even more prominent after dark, having regard to the lack of similarly illuminated signage in the vicinity. The scheme would involve excessive lighting.
12. Whilst the appellant points out that the text to the previous fascia sign had an internally illuminated “light line” around it, that feature has now been removed so it is difficult to make direct comparisons to the fairground lights. The reference to a 10.3m “light line” does not seem to tally with the measurements provided for the “light line” around the former fascia text on the submitted drawing titled *Existing Signs*. Be that as it may, I have found the fairground lights now being proposed to be unacceptable in themselves. The Council were therefore justified in exercising careful control of the

illumination at the appeal property in the interests of amenity and achieving a better balance between business and design considerations.

13. In summary, I consider that the proposed fairground lights on the fascia panel, by reason of their appearance, illumination, prominent location and number, would detract from the character and appearance of the host building and terrace, the street scene and the CA. I therefore find on the main issue that the proposed fairground lights would harm the visual amenity of the site and its surroundings in conflict with the Regulations.
14. Although not decisive in themselves, in accordance with the Regulations I have taken into account the policies of the development plan. The proposed fairground lights would be contrary to the most relevant policies of the development plan, those being, in my view, Policies SADM 6: *Shopfronts, Advertisements and Signage*, SADM 15 *Heritage* and SP 9 *Place Making and High Quality Design* of the Council's Local Plan 2016-2036 as they would neither deliver a high quality design which is sensitive to local character and context nor respect the significance of a designated heritage asset in the form of the CA. They would also match the negative outcome set out in paragraph 141 of the Framework.

Conclusion

15. For the reasons given above and having had regard to all other matters raised in the written material before me, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR