



Appeal Decision

Site visit made on 4 September 2024

by Penelope Metcalfe BA(Hons) MSc DipUP DipDBE MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 18 September 2024

Appeal Ref: APP/E3335/Z/24/3344320

81 Bow Street, Langport, Somerset, TA10 9PR

- 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 Dino Goncalves against the decision of Somerset Council.
 - The application Ref is 23/02635/ADV.
 - The advertisement proposed is 1 No. non-illuminated sign.
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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 conservation area.

Reasons

3. The Council has referred to policies in the South Somerset Local Plan (2006 – 2028) (the local plan). The Regulations require that decisions are made only in the interests of amenity and public safety. Therefore, the Council's policies alone cannot be decisive, but I have taken them into account as a material consideration, together with the National Planning Policy Framework (the NPPF) (updated 2023).
4. Relevant local plan policies include EQ2 which relates, among other things, to the design quality of development and requires development to preserve or enhance the character and appearance of the district. Local plan policy EQ3 relates to the conservation of heritage assets.
5. The NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. It states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. It also states that development affecting heritage assets, including Conservation Areas, should be considered in terms of its impact on the significance of the asset, and that any harm to that significance should require clear and convincing justification.
6. The appeal site is a two storey commercial property in use as a dental practice. It is set back from Bow Street, the main street through Langport, and located in the Langport Conservation Area. There is a wide variety of buildings in terms of both size, form and materials along the street, with several

commercial units interspersed with other mainly residential uses. The building line is irregular with some buildings appearing more prominent than others. Many of them are listed and the long period of historical development of the street is evident in the variety of architectural styles and materials which gives the street its character.

7. The sign the subject of this appeal has already been installed. It is a non-illuminated acrylic board coloured blue and white, located on the side wall of the immediately neighbouring building, No. 83, facing east along the street. It is approximately 4.6m high and 1.4m wide reaching from near ground floor level to the eaves level of No. 81. I consider that its size is excessive, particularly in the context of the other existing fascia sign on No. 81 and the smaller freestanding sign by the entrance door. Its size and location are such that it forms an unacceptably dominant and incongruous feature in relation to both the building itself and the wider street scene and it fails to conserve or enhance the character and appearance of the conservation area.
8. It appeared from my visit that restraint has been exercised over signage in this part of the conservation area. It is mainly restricted to signs on the front of buildings with a few projecting hanging signs as can be seen at the neighbouring property, the Ichi Tong takeaway.
9. The appellant's property is obscured due to its position set back from the road and the presence of a large protected tree in the neighbouring property to the east. The sign may assist the appellant's patients to find the premises when approaching from the east but is of no assistance to those approaching from the west. It becomes visible on the approach to the site from the east and appears very prominent in this location. I consider that while some form of advertisement would be acceptable this sign is unnecessarily large and intrusive in the street scene.
10. I have taken account of the appellant's argument that the sign has encouraged more visits and has a ripple effect on other businesses. However, I am not persuaded that this amounts to sufficient public benefit to outweigh the harm to the conservation area.
11. I accept that commercial properties need to attract attention through advertisements and that they would not be fulfilling their function if they were not visible. However, it is necessary to strike a balance between being large enough to fulfil their purpose and being too prominent and intrusive in sensitive areas such as conservation areas.
12. I conclude that the proposed sign is detrimental to the visual amenities of the street scene. It causes less than substantial harm to the setting of the conservation area and there is no public benefit to offset this harm. It is contrary to the NPPF and local plan policies EQ2 and EQ3.

PAG Metcalfe

INSPECTOR