
Appeal Decision

Site visit made on 11 December 2018

by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2018

Appeal Ref: APP/M2325/Z/18/3215575

Salters Wharf Public House, South Promenade, Lytham St Annes FY8 1LS

- 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 Firth against the decision of Fylde Borough Council.
 - The application Ref 18/0722, dated 12 September 2018, was refused by notice dated 23 October 2018.
 - The advertisement proposed is 1x illuminated post mounted sign.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the amenity of the area.

Reasons

3. Located within a prominent tourist area at St Annes' Pleasure Island complex, the site relates to a public house on the sea front. Adjacent to the site is the Grade II Listed Promenade Gardens, which run along the site's north-eastern boundary, with its principal features being the ornamental lake, stepping stones and footbridge.
4. The proposal is for a free standing post mounted sign located on a landscaped area to the front of the public house car park, directly opposite the Promenade Gardens. It would be around 3.6m high, 2m wide and about 0.3m deep. The 'Toby Carvery', the 'carvery ribbon' and the image of a 'chef' on the upper part of the sign would be internally illuminated. The lower part of the sign would be externally illuminated by an overhead trough light.
5. The proposed location of the sign would be exposed and prominent from the open, spacious and public promenade. Whilst the materials and colour palette of the proposal would not be harmful; the height and width of the proposed sign would be of a significant scale. Coupled with its illumination, it would be an oversized, dominant, incongruous and inappropriate advertisement in this location.
6. Moreover, the Council set out that advertisement consent (application Ref 17/0987) has recently been granted for several signs at the same site. I also saw a number of other advertisements in proximity to the site, particularly another large freestanding sign next to the appeal site. I recognise that a considerable number of signs are to be expected in a seaside leisure setting.

However, this does not negate the cumulative effect of the existing advertisements nearby; and given its exposed siting and the proposed scale, the proposal would introduce further visual clutter.

7. Additionally, the height, width, illumination and exposed location would not be visually mitigated by the backdrop of existing buildings and structures when viewed from South Promenade. Therefore, the advertisement would harmfully affect the open and spacious quality and characteristics of the locality, including the presence of the nearby Promenade Gardens, which are of both historic and cultural interest.
8. Despite the appellant's references, paragraph 193 of the National Planning Policy Framework does not need to be considered when determining advertisement consent appeals in relation to a listed building, as that policy applies to the heritage related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. Developments at the Promenade Gardens, including the putting green and outdoor pool, are entirely different to the proposed advertisement before me, which I have assessed for its effect upon the amenity of the area.
10. The appellant refers to the economic benefits of the proposal in terms of attracting potential customers to the business. However, this is not a matter that comes within the remit of the Regulations and it is of no weight.
11. Consequently, the proposal would have a harmful effect upon the amenity of the area. I have taken into account policies GD7 and ENV5 of the Fylde Local Plan to 2032 (October 2018), which seek to ensure advertisements respect the character of the location within which they are proposed, and that development should conserve, protect and, where appropriate, enhance the character, appearance, significance and historic value of Fylde's designated and undesignated heritage assets, in particular the Promenade Gardens, and their surroundings. I have also taken the National Planning Policy Framework into consideration, which confirms that the quality and character of places can suffer when advertisements are poorly sited and designed. As I find that the proposal would harm amenity, the proposal conflicts with these policies.

Conclusion

12. For the reasons set out above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR