



# Appeal Decision

Site visit made on 14 December 2021

**by Mark Philpott BA(Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 31<sup>st</sup> December 2021**

---

**Appeal Ref: APP/C1950/Z/21/3279520**

**9 Osborn House, Howardsgate, Welwyn Garden City AL8 6AT**

- 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 Jack Robson (Stonegate Pub Company) against the decision of Welwyn Hatfield Borough Council.
  - The application Ref 6/2021/1026/ADV, dated 25 March 2021, was refused by notice dated 27 May 2021.
  - The advertisements proposed are described as '2 sets of internally illuminated fascia text. 1 externally illuminated projection sign'.
- 

## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The advertisements were installed when I visited and thus the scheme is retrospective. Additionally, the advertisements shown on the 'existing' drawings have been removed from the site.
3. Although the locations of the advertisements are clear from my visit and the drawings, the site address differs on the application and appeal forms, decision notice and the projection sign. In the absence of clarity, I have selected the address from the decision notice for the above heading. Additionally, the description of the advertisements in the heading is taken from the application form. However, the 2 sets of fascia text are illuminated by bulbs that are fitted within the face of each letter and thus the fascia advertisements are not internally illuminated as described on the form. Furthermore, the drawings show that the projection sign is illuminated internally, which reconciles with my findings on site. In any event, these site address and description matters are not determinative as I am dismissing the appeal for the below reasons.

## Main Issue

4. The main issue is the effect of the proposal on amenity.

## Reasons

5. The Regulations<sup>1</sup> set out that advertisements should be subject to control in the interests of amenity and public safety. Factors relevant to amenity include the characteristics of the locality, including the presence of any features of historic or architectural interest.

---

<sup>1</sup>Town and Country Planning (Control of Advertisements) (England) Regulations 2007

6. The site relates to a pub named Two Willows, which forms part of a terrace and features three elevations fronting onto Howardsgate. It is an attractive building that includes arch-headed windows and detailed stone elevations at ground floor level and has a red brick finish and sash windows with stone surrounds at first floor level and above. The pub is at the end of a step in the terrace's building line such that its longest two elevations onto Howardsgate are highly prominent. The fascia advertisements are located near the corner of the building where those two elevations meet, whereas the projection sign is positioned near to the adjacent property, which is located at 15 Howardsgate based on the drawings.
7. The pub is located within a conservation area that includes Howardsgate and Welwyn Garden City's town centre. The conservation area derives significance in part from buildings that have similar features to the pub. It also gains significance from substantial linear open spaces and a range of commercial uses at ground floor level. These features are evident along Howardsgate. There are also a range of fascia and projecting advertisements in the town centre, many of which are illuminated.
8. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
9. In addition, in accordance with the Regulations, I have considered the provisions of the development plan so far as they are relevant. Policies D1 and D2 of the Welwyn Hatfield District Plan (DP) require high standards of design and that local character is maintained at a minimum.
10. DP Policy D1 also requires schemes to accord with the Council's adopted Supplementary Design Guidance (SDG), which provides detailed guidelines for advertisements. Notably, it sets out that advertisements should be well-designed and sensitively positioned, that projecting box signs may not always be appropriate, and that attention should be given to preserving or enhancing conservation areas' character and appearance. The Council has also produced a 'Guide to shopfront and advertisement design' which provides similar guidance to the SDG. Furthermore, Policy SADM15 of the Council's emerging local plan<sup>2</sup> (ELP) seeks to protect heritage assets such as conservation areas.
11. I have been furnished with a decision notice<sup>3</sup> relating to advertisements at 4 Howardsgate. The appellant contends that it granted consent for illuminated advertisements relating to the Zizzi restaurant chain with similarities to the advertisements subject to this appeal. However, that restaurant chain appears to no longer occupy No 4 and full details of the approved advertisements have not been provided. In any case, the position, prominence and characteristics of the building at No 4 are not directly comparable to the pub and thus that permission has little bearing on my assessment of the appeal scheme.
12. The fascia advertisements at the pub are in a highly visible position. I have not been referred to any advertisements currently in situ in the vicinity that are designed or illuminated in a similar manner to the fascia advertisements at the pub. The layout and method of illuminating the fascia text gives these

---

<sup>2</sup> Welwyn Hatfield Borough Council – Draft Local Plan Proposed Submission August 2016

<sup>3</sup> Council reference: 6/2016/0193/ADV

advertisements a contemporary appearance that detracts from and contrasts poorly with the architectural and historic interest of the pub and thus harms its contribution to the conservation area. Therefore, I find that these advertisements are visually intrusive and incongruous additions to the pub which harm the character and appearance of the conservation area.

13. Whilst there are projecting advertisements in the area, the projection sign at the pub occupies a highly visible position and is higher above street level and more prominent than many projecting advertisements in the vicinity. In combination with the fascia advertisements and because of the projection sign's prominence, size, circular shape, and the amount of illuminated text and detailing on it, which includes examples of the food and drink served and the site's address, the projection sign results in further harm to the pub and the conservation area.
14. I note that the advertisements that were previously installed at the pub were in some respects larger than the ones now in place. However, the methods of illuminating and the designs of the previous advertisements differ significantly from the current ones. Therefore, the advertisements previously in place do not set a compelling precedent for the current ones. Moreover, in any case, the advertisements subject to this appeal are harmful for the reasons identified.
15. I therefore conclude that the advertisements fail to preserve the character or appearance of the conservation area and are injurious to amenity. The advertisements conflict with DP Policies D1 and D2, ELP Policy SADM15, the SDG and the Guide to shopfront and advertisement design.

### **Other Matters**

16. The Council did not object due to concerns regarding public safety, nor did the Highway Authority raise an objection. I see no reason to reach a different conclusion to the Council regarding public safety and thus find that the advertisements are acceptable in that respect. In addition, the appellant contends that due to restrictions associated with the coronavirus pandemic the advertisements are needed for the pub to increase exposure and compete with other businesses. Although I have carefully considered this point, the harm to amenity nevertheless remains. The matters raised do not outweigh the harm identified to amenity.

### **Conclusion**

17. For the above reasons, the appeal is dismissed.

*Mark Philpott*

INSPECTOR