



## Appeal Decision

Site visit made on 5 May 2021

by **Matthew Jones BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18 May 2021**

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**Appeal Ref: APP/X1118/Z/20/3265565**

**Land Adjacent 7-10 Church Street, Ilfracombe, Devon, EX34 8HA**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
  - The appeal is made by Wildstone Group Limited against the decision of North Devon District Council.
  - The application Ref 72234, dated 21 September 2020, was refused by notice dated 23 November 2020.
  - The advertisement proposed is the conversion of poster advertisement display.
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### Decision

1. The appeal is allowed and express consent is granted for the conversion of poster advertisement display as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following non-standard conditions:
  - 1) The intensity of the illumination of the display permitted by this consent shall be no greater than 300 cd/m<sup>2</sup>.
  - 2) The minimum display time for each advertisement shall be 10 seconds and there shall be no special effects (including noise, smell, smoke, animation, flashing, scrolling, intermittent or video elements) of any kind before, during or after the display of any advertisement. The sequencing of messages relating to the same product is prohibited.
  - 3) The interval between successive displays shall be 0.1 seconds or less and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.
  - 4) Prior to the first use of the converted advertisement display hereby permitted, the poster advertisement display proposed for removal shall be removed and the exposed wall made good.

### Procedural Matter

2. I have taken the site address and the description of development from the covering letter which accompanied the application.

### Main Issue

3. The main issue is the effect of the proposed advertisement on amenity, with reference to the Ilfracombe Conservation Area (the ICA) and the Grade II listed Northcote Buildings.

## **Reasons**

4. The site comprises two 6m x 3m paper and paste externally illuminated signs affixed side by side to a retaining wall below 7-10 Church Street, opposite the terrace of houses and shops known as the Northcote Buildings, within the ICA. I have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the ICA and a duty to consider the impact of the proposal on the special architectural and historic interest of the Northcote Buildings.
5. The significance of this part of the ICA derives from its commercial heritage and the quality of its historic built environment. The special interest of the Northcote Buildings draws from these attributes, as articulated by the high-quality architectural composition of their lively and embellished frontages.
6. The Ilfracombe Conservation Area Management Plan identifies the threat to the ICA posed by inappropriately designed and sited adverts. The existing signs in this case, given their scale, paired siting and their external illumination, provide a significant cumulative presence which causes them to detract from the respective significance of the ICA and the setting of the Northcote Buildings.
7. The proposed sign would match the size and siting of the sign it would replace. Whilst it would have internal illumination and the ability to near instantaneously change the advert it would present, the negative effects of such would be modest as they could be minimised through the use of conditions. Coupled with the benefit of removing the other existing sign altogether, the overall effect would preserve the character and appearance of the ICA and render a neutral impact upon the setting of the Northcote Buildings. The proposal would therefore have an acceptable effect on amenity.
8. In accordance with the Regulations, I have taken into account the development plan so far as it is material. The proposal would comply with the heritage and design aims of Policies ST04, ST15, DM04 and DM07 of the North Devon and Torridge Local Plan 2011-2031 (adopted 2018). I have also found no conflict with Paragraph 132 of the National Planning Policy Framework.

## **Conditions**

9. Conditions are necessary to prevent unacceptable impacts upon the historic environment and distraction to road users through the restriction of luminance at night, the prevention of special effects and to minimise the frequency of and the transition time between adverts. It is also necessary, with regard to the historic environment, for a condition to ensure removal of the sign proposed for such and the making good of the newly exposed section of wall.

## **Conclusion**

10. For these reasons I conclude that the appeal should be allowed.

*Matthew Jones*

INSPECTOR