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# Appeal Decision

Site visit made on 4 June 2013

**by S J Papworth DipArch(Glos) RIBA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 7 June 2013**

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**Appeal Ref: APP/Y9507/E/13/2190044**

**The Hungry Guest, High Street, Petworth, West Sussex GU28 0BE**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
  - The appeal is made by Ms Nicola Jones on behalf of Wickerton Investments Limited) against the decision of South Downs National Park Authority.
  - The application Ref PW/12/01329/LBCNP, dated 20 March 2012, was refused by notice dated 28 June 2012.
  - The works proposed are removal of 2No HOVIS signs from the exterior of the premises.
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## Decision

1. I allow the appeal and grant listed building consent for the removal of 2No HOVIS signs from the exterior of the premises at The Hungry Guest, High Street, Petworth, West Sussex GU28 0BE in accordance with the terms of the application Ref PW/12/01329/LBCNP, dated 20 March 2012 and the plans submitted with it.

## Main Issue

2. This is the effect of the works on the significance of the listed building and its setting within the Petworth Conservation Area.

## Reasons

3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply to applications and appeals made under the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 16(2) of the latter Act requires special regard to be had to the desirability of preserving the listed building or its setting or any special architectural or historic features it possesses. This duty is reflected in Policies BE4 and BE5 of the Chichester District Local Plan which forms part of the Development Plan for the area. Section 72(1) of the same Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. Section 12 of the National Planning Policy Framework sets out requirements with regard to designated heritage assets; the listed building and the conservation area.
4. There are doubts over the dates during which the signs were in place and their precise method and degree of attachment to the building. In view of these doubts, and notwithstanding the reference to the possibility of them being unlawful, or otherwise not requiring listed building consent for their removal, and the fact that they are not mentioned on the listing description, the view now is that the listed building consent application and appeal should properly

be considered. The lack of mention on the list description is not significant for that date of listing where the description is for identification purposes.

5. Section 12 of the Framework makes clear the importance to the decision making process of the significance of the heritage asset. In the case of the conservation area, this is very much the collective effect of buildings, spaces and vistas and it is the case that the appeal building contributes positively to this significance through its corner location and its intrinsic architectural and historic interest. The existence of advertising signage is not unusual on retail premises in such areas and where control is exercised, this is strictly applied for reasons of amenity. On the information provided, by way of photographs, whilst the HOVIS signs were evident, possibly prominent, they did not contribute greatly to the significance of the conservation area. Their removal, as with any other sign that comes and goes with changes in retailing and use, has not caused harm to the conservation area and the requirements of Section 72(1) of the 1990 Act have been accorded with.
6. Turning to the building itself and its setting, which extends over a smaller area than the conservation area, the signs have an evidential and historic value as artefacts, but not firmly linked with any particular building, and in this case, the sale of that product is said to have ceased on these premises; there is even a case for saying that retention would be misleading. The signs are not uncommon nationally and the preservation of each one *in situ* regardless of the situation would not serve a valid conservation purpose. They do not have the same high evidential or historic value as, say, a local firm would have in retaining some evidence of past activity or family connections, and the national brand HOVIS remains and is well know in any event.
7. Their aesthetic value is moderate, and by modern standards the method of fixing is crude and unattractive. There appears to be a communal value, described as nostalgia, but the national brand and the commonness of the signs nationally reduces the weight attaching to this. With regard to the effect on the significance of the building, that significance derives from its architectural and historic interest and to a much lesser extent, from any transient, non-original, fittings or fixtures. Although such items do tell the story of the building, the signs in question here contribute in a very limited way to that significance. Little weight attaches to the use of the name 'Hovis House' as that is clearly a later, and again, transient thing.
8. Without the signs, as at the time of the site inspection, the building is attractive, well presented on the outside and a positive feature of the street scene and the wider conservation area. It displays the attributes that led to its listing. Conversely, there is no reason why the signs could not be put back, it appears that some replacement letters, or a whole sign, would need to be sourced, but they are commonly found. However, it is concluded that the removal of the signs has not caused harm to the interest or significance of the listed building or the wider designated area, and that there is no compelling reason to withhold consent for their removal. For the reasons given above it is concluded that the appeal should succeed. In the circumstances, there is no reason to attach conditions as no making-good or other works are required.

*S J Papworth*

INSPECTOR

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