



Appeal Decision

Site visit made on 3 July 2013

by R Barrett Bsc Msc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 25 July 2013

Appeal Ref: APP/Q1445/H/13/2194518
55 Western Road, Brighton BN1 2EB

- 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 H Van-Zyl (Flight Centre UK Ltd) against the decision of Brighton and Hove City Council.
 - The application Ref BH2012/03538 dated 7 November 2012, was refused by notice dated 14 January 2013.
 - The advertisement proposed is alterations to existing fascia sign to include internally illuminated lettering and erection of two internally illuminated projecting signs.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. After submission, the appeal application was amended to delete one of the internally illuminated projecting signs. Notwithstanding the above description, I am determining this appeal in accordance with the appeal application on which the Council made its decision.
3. The development has, in part, been carried out on site. As I cannot be assured that this accords with the appeal plans in every respect, I am determining the appeal on the basis of the appeal plans.

Main Issue

4. Whether the appeal development would preserve or enhance the character or appearance of the Regency Square Conservation Area.

Reasons

5. The appeal site includes a striking four storey stucco building which forms part of a larger complex of similar buildings fronting this part of Western Road. Prominently sited at the junction of Western Road and Clarence Square, it has a decorative tower which addresses the street corner. It has attractive detailing, a rhythm of sash windows on the upper floors and a lively silhouette of Dutch gables.
6. The character and appearance of the locality is comprised of the busy shopping environment of Western Road, with a mix of buildings, mostly in retail use on the ground floor, with advertisements at fascia level, the minority of which are internally illuminated with projecting signs. However, Clarence Square is generally quieter with more formal buildings, with some cohesion in terms of

- form and design, in a mixture of uses, including residential. A shop front in the vicinity of the appeal site has an externally illuminated sign. The appeal building contributes to the character and appearance of the Conservation Area.
7. The proposed fascia sign would be large and deeper than others in the vicinity, even though it would be similar in size to a previous sign. It would noticeably project from the face of the building and would appear bulky and awkward. In addition, the lettering would be large, project from the fascia and be internally illuminated. For these reasons together with its mixture of bright colours, large lettering, logo and the use of modern materials, it would detract from the host building. It would dominate the ground floor and fail to relate to the rest of the terrace. In addition, it would appear obtrusive in the street and strike a discordant note. This would be the case even though the illumination proposed may be below the levels set out in the Brighton and Hove City Council Supplementary Planning Document SPD 07: *Advertisements* (2007).
 8. Moreover, the proposed projecting sign, due to its size, internal illumination, use of modern materials and bright colour would appear prominent in the street. It would detract from both the host building and the Western Road street scene.
 9. The appellant suggests that, with the exception of the internal illumination, the appeal proposal would benefit from Deemed Consent, a matter that is uncontested. The appellant has implemented that element of the appeal proposal. However, the addition of lighting would render the advertisements more prominent in the street, and more at odds with the design of the host building. On the basis of the combination of all the elements of the appeal proposal, the appeal fails.
 10. I have had regard to the previous fascia advertisement at the appeal site, brought to my attention. However, this was a different development with a more muted colour, smaller projecting sign and lettering. I have also noted other development in the locality. Whilst I have limited information on the history of these, some are of a generally similar colour, size or have illumination. However, none replicate the size, design, colour, internal illumination, location in the street or relationship to the building or terrace. They do not, therefore, justify the appeal development. Although not determinative in this case, the thrust of the Council's policies and guidance on advertisements add weight to my findings in this respect. Whilst the unacceptable harm identified to the Conservation Area would be less than substantial, no other public benefits have been identified to outweigh it.

Conclusion

11. For the reasons set out above, and taking all other matters raised into consideration, I conclude that the appeal should be dismissed.

R Barrett

INSPECTOR