
Appeal Decision

Site visit made on 3 June 2014

by Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI

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

Decision date: 9 June 2014

Appeal Ref: APP/Q1445/H/14/2216309
2 Ship Street, Brighton, Sussex, BN1 1AD

- 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 Peter Bradford against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/02191, dated 28 June 2013, was refused by notice dated 18 February 2014.
 - The advertisements proposed are non illuminated painted signs at first and second floor levels.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The national Planning Practice Guidance came into force on 6 March 2014. However, it has not had a bearing on the considerations in this appeal.
3. The original application included fascia and hanging signs. However, those signs were approved by the Council and, therefore, are not considered in this appeal. All of the signs were in place when the site visit was made.

Main Issue

4. The main issue in this case is the effect of the non-illuminated painted signs on the character and appearance of the Old Town Conservation Area.

Reasons

5. The appeal property is a four storey plus mansard building which is part of a linked group on the west side of Ship Street, close to its junction with Kings Road. Ship Street is fairly narrow and both sides are lined almost continuously by buildings in a mix of uses. Whilst commercial uses predominate at ground floor level, advertising signage is generally modest in its amount and appearance and is concentrated at fascia level. This restrained approach to signage contributes positively to the character and appearance of the Conservation Area.
6. The approved signage for the appeal building would be consistent with this approach and supports the ground floor shop front and commercial use. However, the appeal signage would be at second floor level on principle elevation of the building and at first floor level on the short return frontage facing north along Ship Street. The appeal signs would have a reasonably low

key appearance. Nevertheless, they would be detached from the shop front and give the upper floors of the host building a commercial character which would be at odds with the other properties in the area.

7. The appeal signs would extend of commercial features to the upper parts of the building and, therefore, would be harmful to the character and appearance of the Conservation Area. Consequently, the proposal would conflict with paragraph 67 of the National Planning Policy Framework (the Framework) which advises that poorly placed advertisements can have a negative impact on the appearance of the built environment.
8. The Framework, the PPG and the Regulations require that decisions on advertisements are made only in the interests of amenity and, where applicable, public safety. As such, I can give limited weight to the appellant's concern over the way in which the Council handled the application. Similarly, although I have taken into account the Council's development plan policies, they have not been a decisive consideration in reaching my decision. However, in this case, their general thrust adds weight to my findings.

Conclusion

9. For the reasons outlined above, the appeal should be dismissed.

Simon Warder

INSPECTOR