



Appeal Decision

Site visit made on 27 July 2010

by **John Chase** MCD Dip Arch RIBA MRTPI

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

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Decision date:
2 August 2010

Appeal Ref: APP/Q1445/H/10/2124472

Community Base, 113, Queens Road, Brighton, BN1 3XG

- 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 Community Base against the decision of Brighton & Hove City Council.
- The application Ref BH2009/02970, dated 1 December 2010, was refused by notice dated 9 February 2010.
- The advertisement proposed is one mesh type banner measuring 9.4m square to fit north wall.

Decision

1. I dismiss the appeal.

Main issue

2. I consider the main issue is the effect of the proposal on the character and appearance of the area, including the adjoining Conservation Areas.

Reasons

3. The advertisement proposed is a 9.4m square mesh banner attached to the side wall of a post-war office block, which presently accommodates community based enterprises. The block forms part of a frontage of similar, large scale commercial buildings along the east side of Queens Road, whilst the west side, which falls within the West Hill Conservation Area, has the smaller scale, traditional pattern of three and four storey nineteenth century properties.
4. The scale and materials of the post-war commercial buildings bear little resemblance to the historic appearance of the west side of Queens Road. However, the appeal building exhibits the characteristic design elements of its era, and I do not accept that there is a self evident justification for covering or disguising it with advertising material. It is certainly the case that the flank wall, which is visible along Queens Road when approached from the north, is a relatively blank façade, by comparison with the front elevations of these buildings, which have greater detailing of vertical elements. A street tree provides some softening of the view of the wall, and the muted appearance of the pebble finished concrete helps to reduce its impact. By comparison, the insertion of a large advertisement would draw attention to the wall, and make it appear an incongruous and alien element in the street scene.

5. The flank wall fronts onto North Road, the adjacent parts of which fall within the North Laine Conservation Area. The immediately adjoining buildings are large scale and of modern construction, but the advertisement would also be visible from more historic areas, from which it would be a discordant element, albeit to a lesser degree than the effect on Queens Road.
6. In addition to the proximity of the site to the two Conservation Areas, the Council have drawn attention to the importance of Queens Road as a main thoroughfare in the town, and the principle pedestrian entrance for those approaching from the station. In this prominent and sensitive location, I consider that the scale and appearance of the advertisement would have a materially harmful effect on the character and appearance of the area, including the adjoining Conservation Areas.
7. I recognise that the proposal is the same as that which received consent for a period of five years from 2004. The Council point to the adoption of the Brighton and Hove Local Plan, and the issuing of *Supplementary Planning Document (SPD) 07 : Advertisements* in the intervening period. Whilst I note the appellants' contention that there has been no fundamental shift in the direction of policy, nonetheless adoption has given added weight to the current Local Plan, and the SPD provides a clear indication that advertising hoardings would not normally be given consent within the immediate setting of a Conservation Area. Development plan policy is not the determining factor in advertisement decisions, but it is a material consideration which I have taken into account in making my evaluation, along with the other factors to which I have referred above. I recognise the benefit of consistency, but the previous consent does not outweigh my assessment of the harm which would arise.
8. Whilst the advertising revenue would assist the appellants in providing space for community users, the need for an advertisement does not form part of the assessment under the Regulations, which is limited to matters concerning amenity and public safety.

John Chase

INSPECTOR