

Appeal Decision

Site visit made on 20 May 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: 5 June 2014

Appeal Ref: APP/Q1445/H/14/2212105

2-8 Carden Avenue, Brighton, BN1 8NA

- 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 Avnish Goyal against the decision of Brighton and Hove City Council.
 - The application Ref BH2013/03238, received by the Council on 20 September 2013, was refused by notice dated 19 November 2013.
 - The advertisements proposed are 2no entrance signs within boundary wall along Carden Avenue, 1no sign within boundary wall at junction of Carden Avenue and London Road and 1no sign within boundary wall along London Road.
-

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 appellant has provided drawings showing additional details of the proposed signs with the appeal submission and confirmed that the signs at the junction of Carden Avenue and London Road and along London Road would not be illuminated. Since this information supplements, but does not significantly alter, the scheme determined by the Council I have taken it into account.
4. All of the signs were in place at the time of my site visit.

Main Issue

5. The main issue in this case is the effect of the signs on the character and appearance of the area.

Reasons

6. All of the signs are set within the boundary enclosure of a recently constructed care home at the junction of Carden Avenue and London Road. Although there is a children's nursery a short distance along Carden Avenue, residential uses predominant in the area. Whilst the appeal care home and some of the nearby apartment blocks are significant in scale, the area has a restrained character, with buildings generally set behind good quality boundary walls, fences and substantial planting. There is a limited amount of existing signage in the area and, with the exception of one of the children's nursery signs, it is modest in size and subdued in appearance.

7. The sign at the junction of Carden Avenue and London Road and the one along London Road are prominently located within the street scene. The two signs at the entrance to the care home are slightly smaller and more discreetly located, although this is somewhat undermined by their being so close together. All of the signs are large relative to most other signage in the area. Moreover, each is set within a section of white rendered wall below a peaked coping and flanked by piers. This arrangement draws the eye to the signs. The combined effect of the location, size and setting of the proposed signs is to make them overly assertive and at odds with the prevailing character with the area.
8. The appellant has referred to signs at other properties in the area including the children's nursery and the Bourne Court apartments. I have already noted that the children's nursery sign is uncharacteristically large and prominent. The Bourne Court sign, whilst it sits well above the site boundary wall, is set behind the wall and is fairly muted in appearance. As such, neither of these signs provides a robust justification for the appeal signs.
9. The appellant describes the care home as occupying a corner plot with 'important frontages'. Whilst the site is, indeed, prominent, I am not persuaded that this is a good reason for allowing signage which would have a harmful effect on the character and appearance of the area. The proposal would, therefore, 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.
10. 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, although I have taken into account the Council's development plan policies, they have not been decisive considerations in reaching my decision.

Conclusion

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

Simon Warder

INSPECTOR