

Appeal Decision

Site visit made on 28 February 2017

by **Nicola Davies BA DipTP MRTPI**

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

Decision date: 23 March 2017

Appeal Ref: APP/Q1445/Z/17/3168749

Sainsbury's Superstore, 93 Lewes Road, Brighton BN2 3QA

- 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 Sainsbury's Supermarkets Ltd against the decision of Brighton & Hove City Council.
 - The application Ref BH2016/05527, dated 3 October 2016, was refused by notice dated 12 December 2016.
 - The advertisement proposed is 1 x Fascia Sign and 5 x Panel Signs.
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Decision

1. I dismiss this appeal that relates solely to the fascia sign.

Preliminary Matters

2. The Council has issued a split decision granting Advertisement Consent for the five non-illuminated panel signs but has refused Advertisement Consent for the one internally-illuminated fascia sign. For the purposes of clarity my decision relates only to the one internally-illuminated fascia sign that has been refused by the Council.
3. The appellant has confirmed that all of the signs, including the fascia sign which has been refused consent, have been erected at the appeal site. I observed a fascia sign to be in place in the proposed location at my site visit.

Main Issue

4. The main issue raised in respect of the appeal is the effect of the fascia sign on the character and appearance of the host building and the area.

Reasons

5. The appeal site relates to an existing Sainsbury's store that forms part of the Lewes Road District Shopping Centre. There is a variety of commercial premises in the area including a petrol filling station, public houses, and retail shop and service premises, amongst others. I observed there is a difference in shop front treatments and advertisements in the area, some of which are of modern design and form, but in general the existing signage relates to the fascias above shops or to premises frontages and their entrances.
 6. I accept this part of Lewes Road has a predominantly commercial appearance. However, the Sainsbury's store is set back for the main commercial street and, for this reason, is disconnected from the shop frontage context of Lewes Road.
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7. The appeal site is a large prominent building of its own architectural style positioned at a highway junction where Upper Lewes Road and Lewes Road converge. The junction creates openness to the townscape at this point increasing the prominence of the side elevation of the store to public view. I observed this is also a busy area, with vehicular traffic travelling along Lewes Road approaching the store from the south and cyclists and pedestrians passing through this area. Bus commuters frequent the area and there is a bus stop directly in front of the appealed sign's positioned.
8. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the Governments Planning Practice Guidance make it clear that advertisements are only subject to control in the interests of amenity and public safety. Paragraph 67 of the National Planning Policy Framework (the Framework) indicates that poorly placed advertisements can have a negative impact on the appearance of the building and only those which clearly have an appreciable impact on a building or on their surroundings should be subject to local planning authority detailed assessment. Retained Policy QD12 of the Brighton & Hove Local Plan indicates that signs which are detrimental to visual amenity will not be allowed. Furthermore, the Council's Supplementary Planning Document (SPD) 07 Advertisements comments that "...a proliferation of signs and advertisements of different sizes, colours, designs etc. can create a cluttered appearance with no visual cohesion which may be damaging to the appearance of buildings, streets or areas".
9. The side elevation of this building is large and constructed in red brick and incorporates arch detailing at ground level and above. The column features separate arches breaking up and adding interest to this elevation. The existing 'Sainsbury's' sign is hosted at a high level at the southern end of this elevation. The other 'Sainsbury's' sign is positioned further to the north at the carpark entrance at a separate building of markedly different scale and design to this side elevation. I observed that in wider views the sign is seen above the adjacent bus shelter.
10. The side elevation remains largely uncluttered. Indeed, the appellant in their statement describe this elevation as relatively featureless. Although the proposed fascia sign is smaller than that of the existing Sainsbury's sign and positioned at a lower height more closely related to street level, this elevation is unadorned by additions and has its own untarnished architectural integrity. The proposed sign, with national branding standard green coloured lettering and pharmacy logo on a solid white background with internally illuminated lettering and logo, creates a discordant feature disrupting the distinct architectural rhythm of the building and detracts from its character. The visual discordance of the sign would be amplified during the hours of darkness when the sign would be illuminated. Furthermore, the box form of the proposed signage with its solid white background jars with the applied lettering of the existing Sainsbury's sign. I consider the sign, being placed in such a prominent position, causes visual harm to the building and the streetscene.
11. I acknowledge that no residential neighbours would be effected by the proposal and the sign would not comprises public safety. There are no environmental, historic or landscape designations effected and the sign is not in an area of special advert control. I also acknowledge the appellant's comment that the commercial needs are such that the sign is required to be visible at ground

level. However, these benefits would not outweigh the harm to amenity that I have identified above which is the assessment required by the Regulations.

12. I have taken into account Policy QD12 of the Brighton & Hove Local Plan and the Council's SPD 07 which seek to protect visual amenity and so are material in this case. Given this I have concluded that the proposal would harm amenity. I consider the proposal conflicts with Policy QD12 and paragraph 67 of the Framework.

Conclusions

13. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Davies

INSPECTOR

