



Appeal Decision

Site visit made on 8 November 2010

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 29 November 2010

Appeal Ref: APP/Q1445/H/10/2133368

Downs Filling Station, Ditchling Road, Brighton BN1 4SG

- 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 Primesight Ltd against the decision of Brighton and Hove City Council.
 - The application Ref BH2010/00510, dated 26 February 2010, was refused by notice dated 3 June 2010.
 - The advertisement is 1 no. internally illuminated pole mounted display unit.
-

Decision

1. I dismiss the appeal.

Main issue

2. The main issue is the effect of the display unit on the character and appearance of the area.

Reasons

3. The display unit is a large internally illuminated sign erected on poles about 4.4m high. The sign itself is about 1.9m high and about 1.3m wide. It is prominently positioned next to the shop and close to the footway. It is visible from both approaches along Ditchling Road. Although the display unit adjoins a petrol filling station and several small shops, it is not within predominantly commercial surroundings since there is a mix of residential and other uses along this part of Ditchling Road.
 4. The display unit, due to its excessive size and prominence, has a dominating visual impact on the street scene. It appears out of place and adds to a clutter of signage in this location. Paragraph 9 of Appendix E to the Annex to Circular 03/2007 says that in mixed commercial / residential areas much greater care should be taken in the siting of poster advertising than in a wholly commercial area. I conclude that there is harm from the advertisement to the character and appearance of the area.
 5. Although the Council refers to a development plan policy and a supplementary planning document in the reason for refusal, the regulations to control advertisements require that decisions are made only in the interests of amenity
-

and public safety. These policies alone cannot be decisive, but I have taken them into account as material considerations.

Sue Glover

INSPECTOR