



## Appeal Decision

Site visit made on 7 April 2011

**by Sheila Holden** BSc MSc CEng TPP MICE MRTPI FCIHT

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

**Decision date: 13 April 2011**

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### **Appeal Ref: APP/Q1445/H/10/2142963**

### **Staples, Peacock Industrial Estate, Davigdor Road, Hove BN3 1QD**

- 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 Lynsey Sweet on behalf of Staples against the decision of Brighton & Hove City Council.
  - The application Ref BH2010/03038, dated 23 September 2010, was refused by notice dated 19 November 2010.
  - The development proposed is new signage to the existing Staples Store.
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### **Decision**

1. I allow the appeal, and grant consent for the display of 2No non-illuminated folded aluminium signs as applied for. The consent is for a period of five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

### **Procedural matter**

2. The Council granted express consent for the internally illuminated flexface sign but refused consent for the installation of 2no non-illuminated folded aluminium signs. I am therefore only dealing with these non-illuminated signs in this appeal decision.

### **Main issue**

3. The main issue is the effect of the 2No proposed non-illuminated signs on the character and appearance of the area.

### **Reasons**

4. The Staples store is part of an established industrial and retail park accessed from Lyon Close on the north side of Davigdor Road. The brick buildings occupied by Staples and Wickes are laid out in an L-shaped configuration to the rear and side of a car park, which is separated from Davigdor Road by an area of landscaping. Davigdor Road in the immediate vicinity of the retail park is characterised by mixed development; residential development predominates elsewhere. It is a straight road where the buildings are set back modest distances from the rear of the footway and the presence of street trees and other greenery softens the area's appearance. The buildings within the retail park are therefore not readily visible to anyone driving along Davigdor Road.
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5. The main entrance to Wickes faces Davigdor Road whereas the main entrance to Staples faces the car park. Both these entrances have large signs immediately above them. The side elevation of Staples, which also faces Davigdor Road, is set further back from the street than any of the other nearby buildings. On my site visit I saw the signs that are the subject of this appeal are already in position on the side elevation of the building. In addition there were other, smaller signs lower down on the same wall, some of which appeared to be temporary in nature. I am not aware of the status of these signs and it is not for me to comment on them in the context of this appeal.
6. Large display advertisements are not a feature of Davigdor Road, either near the retail park or elsewhere. The Council's aspiration to avoid large signs that are unsympathetic to the character of the surrounding area is to be supported. The sign adjacent to the site entrance, and in the most prominent position, is of modest proportions. The Council has already allowed a large red and white sign on the side elevation of the Staples building. The additional signs sought here are black with white letters and are therefore less dominant. They occupy an otherwise bland and blank brick wall, set back from Davigdor Road. They are only readily visible to anyone who is either entering the site from Lyon Close or passing along the short section of road frontage. They are some distance from the nearest residential dwellings. In this context they do not look out of place or detract from the overall appearance of Davigdor Road, which retains its character mixed commercial and residential buildings softened by trees and other vegetation.
7. The secondary advertisements on the Wickes building are more spread out and on the front elevation of the building. Their presence suggests that the principle of a limited number of secondary signs has already been accepted. However, the arrangement cannot be repeated on the Staples building since it is a different size and orientation and spreading the signs out could lead to a more cluttered effect overall. In any event a section of brick wall at the upper level remains clear of signs, as does most of the front elevation of the building. I am therefore not persuaded that the additional signs are harmful to the character and appearance of the area.
8. The Regulations require that decisions are made only in the interests of amenity and public safety, but I have taken the Council's policies into account as a material consideration. For the reasons given I conclude that the character and appearance of the area would not be harmed and that the appeal should be allowed.

*Sheila Holden*

INSPECTOR