



## Appeal Decision

Site visit made on 27 February 2014

by **C J Leigh BSc(Hons) MPhil MRTPI**

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

Decision date: 13 March 2014

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### **Appeal Ref: APP/Q1445/H/13/2203015**

### **42 Wilbury Villas, Hove, East Sussex, BN3 6GD**

- 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 Mrs K Peach against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/00572, dated 19 February 2013, was refused by notice dated 4 July 2013.
  - The advertisements proposed are one externally-illuminated post sign, one non-illuminated fence panel sign, and one externally-illuminated oval sign on north elevation of building.
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### **Procedural matters**

1. The advertisements the subject of this appeal have been installed. The appeal premises are used a children's day nursery.

### **Decision**

2. The appeal is allowed and express consent for the display of the advertisements as applied for is granted. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the Regulations.

### **Main Issue**

3. The main issue in this appeal is the effect of the advertisements on the visual amenity of the area.

### **Reasons**

4. The appeal property is a large building set at the end of Wilbury Villas, at the junction with The Upper Drive and Old Shoreham Road. The character of this part of Wilbury Villas is notably different from the rest of the road to the south. There is a greater degree of openness caused by the large and busy road junction area with the meeting of roads, whilst the school to the north introduces a more institutional feeling to the area. Houses close to the appeal site on the western side of The Upper Drive are also different in character. Due to the location and height of the appeal premises at the junction of the roads, the building has a high degree of prominence in the area.
5. The signs that have been installed on the premises are not obtrusive in the wider area. The oval sign on the building faces the area dominated by the road junction to the north, and in views within that area can be seen signs connected with other educational institutions. The positioning, size, design and illumination

of the sign is not intrusive to that character, nor harmful to the appearance of the building. The sign on the fence is modest in size and similarly not intrusive. The sign fronting Wilbury Villas is also an unobtrusive externally-illuminated sign, set back from the boundary and discretely but effectively indicating the business and the entrance to the premises.

6. The signs are not harmful to public safety, due to their position, size and design.
7. The development is therefore consistent with the objectives of Policy QD12 of the Brighton & Hove Local Plan 2005, and guidance within the Council's Supplementary Planning Document: Advertisements 2007, which seek to ensure advertisements and signs are sensitively designed and contribute to the visual amenity of the area.
8. I have had regard to the content of the National Planning Practice Guidance, but in light of the facts in this case the Guidance does not alter my conclusions. For the reasons given, and having regard to all other matters raised, consent is granted for the display of the advertisements.

**C J Leigh**

INSPECTOR