

Appeal Decision

Site visit made on 24 April 2017

by C Jack BSc(Hons) MA MA(TP) MRTPI

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

Decision date: 3rd May 2017

Appeal Ref: APP/L3815/Z/17/3171211

The Chantry, 27-28 Southgate, Chichester PO19 1ES

- 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 Stonegate against the decision of Chichester District Council.
 - The application Ref CC/16/03916/ADV, dated 5 December 2016, was refused by notice dated 1 February 2017.
 - The advertisement is described as 'new signage'.
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Decision

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

Preliminary Matters

2. By the time of my site visit the new signage and associated lighting had been completed.
3. The appellant has submitted amended plans showing the wording of the two circular logo signs set at an angle, as completed on site, rather than set horizontally. In all other regards the logo signs are the same as those shown in the drawings originally considered by the Council. Given the very minor nature of the amendment, I am satisfied that it does not materially alter the nature of the advertisements from that upon which the Council based its decision. I am therefore satisfied that no party would be prejudiced by my consideration of them in this appeal.

Main Issue

4. The main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

5. The appeal site is a bar and restaurant situated in Chichester city centre, within the designated Chichester Conservation Area (CCA). There is a wide variety of modern and historic buildings, including a number of listed buildings, in the vicinity. The Fountain public house, adjacent to the appeal site, is Grade II listed. The area generally has a busy commercial character, with a mix of shops, restaurants, pubs and other commercial uses.
 6. The site was formerly operated as the Slug and Lettuce and has now been rebranded as The Chantry, with associated alterations to the external signage
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and lighting. This includes a replacement front fascia sign facing onto Southgate and side fascia facing the side alley leading to Deanery Close. There is also a replacement hanging sign, two menu signs set in the open porch area, a painted logo sign at first floor level on the front elevation of the building and another at the rear of the side elevation facing Deanery Close. The menu signs are internally illuminated. Other illumination consists of trough lighting for the hanging sign, two lanterns adjacent to the front entrance, and six LED uplighters above the front fascia sign.

7. The signs are painted in a neutral colour palette, which is generally in keeping with other signage in the locality. They have a matt finish and the fascia signs are constructed of timber. While the lettering is larger than that used in the Slug and Lettuce signage, and appears to exceed the Council's guideline of 65% of the fascia height, it is nonetheless proportionate to the overall size of the signs, the scale of the building, and the width of the street. Furthermore, the lettering is confined to the name of the premises and is centrally positioned and occupies less than 75% of the width of the fascia signs, which are also long and thin rather than squat. In these other respects the signs are generally consistent with the Council's Shopfront and Advertisement Design Guidance Note Revised 2010.
8. There are many examples of signage in the locality, including modest hanging signs, with which the appeal hanging sign would be generally in keeping albeit a little larger than Council's guidance seeks. I note that the Slug and Lettuce signage, allowed by appeal Ref APP/L3815/H/11/2158415 included a hanging sign in essentially the same position. There are also some limited examples of advertisements having been applied directly onto wall surfaces in the city centre, as the appeal logo signs have been. The appeal logos essentially consist of restrained lettering outlined by a circle, one of which is particularly discreetly located towards the rear of the building. The logos occupy only a limited area of the elevations on which they have been applied and are set above ground floor level. Accordingly I consider that they do not amount to detrimental visual clutter. While I note the Council's concern that the scheme includes unnecessary signage, it is not a requirement that the need for advertisements is demonstrated.
9. The appellant is of the view that some of the lighting installed is *de minimis* and does not fall within the scope of the Regulations. Notwithstanding, the lighting has in this instance been included as part of the overall advertisement scheme that is subject to this appeal. The Council has raised no significant objection to the trough lighting, the two lights adjacent to the entrance or the illuminated menu signs. However, it considers the up-lighting to be excessive for the purposes of illuminating the front logo sign and to detract from the setting of nearby listed buildings. The six uplighters are modest in scale and relatively unobtrusively positioned just above the front fascia. They illuminate across the width of the building at first floor level and do not all directly illuminate the front logo sign.
10. This city centre area is well lit by street lights, including one projecting from the appeal building, and various other lights including uplighters and, more prevalently, swan neck lights. While I note the Council's general position that such additional lighting is superfluous in a well-lit area, in this context, it seems unlikely that the effect of these relatively modest uplighters would be to detract from the visual amenity of the surrounding area, including the listed buildings,

to a harmful degree. The Fountain is detached from the appeal building and set a little back. As such, the appeal advertisements are visually separated from that listed building. Furthermore, as they are not unduly prominent or obtrusive in the street scene, their effect on amenity in relation to the setting of The Fountain, or other listed buildings nearby, is therefore not harmful.

11. I conclude that the appeal advertisements do not have a harmful effect on the appearance of the built environment and accordingly the visual amenity of the area, including the character or appearance of the CCA, is not harmed.

Conditions

12. No further conditions, in addition to the five standard advertisement conditions, have been suggested and I consider that none are necessary.

Conclusion

13. The Council has drawn my attention to Policy 47 the adopted Chichester Local Plan: Key Policies 2014 - 2029, which it considers relevant to this appeal and I have taken this into account where material. Given that I have concluded there would be no harm to amenity, the proposal would not conflict with this policy.
14. For the reasons given above, I conclude that the appeal should be allowed.

Catherine Jack

INSPECTOR