



Appeal Decision

Site visit made on 18 November 2019

by Patrick Whelan BA(Hons) Dip Arch MA MSc ARB RIBA RTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2019

Appeal Ref: APP/Q1445/Z/19/3235274

Sainsbury's Food Store, 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 Limited against the decision of Brighton & Hove City Council.
 - The application Ref BH2018/03877, dated 18 December 2018, was refused by notice dated 6 August 2019.
 - The advertisement is 1no. projecting sign at car park entrance.
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Decision

1. The appeal is allowed, and express consent is granted for the display of 1no. projecting sign at car park entrance, 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 Matter

2. At the time of my visit, the advertisement that is the subject of this appeal had been erected. I have therefore determined the appeal on the basis that the development has already occurred.

Main Issue

3. The main issue is the effect of the sign on the visual amenity of the area.

Reasons

4. The sign projects from a long range of wide, brick-arched openings set alongside a broad footway beside a busy section of road. This wall has a dark, sculptural character, its modelled openings animating this section of the street. The language of brick arches continues in relief in the building to the south. Across the road, the building on the corner has incorporated a large opening in one corner as a feature, its other openings being deeply recessed and reflecting the modelling of the arches of this side. A petrol station with forecourt and totem signage stands opposite.
 5. The plain tone and simple geometry of the wall from which the sign projects are sensitive to the individual and cumulative effect of signs. However, the appellant points out that this sign is a replacement of a similar one, albeit marginally smaller in area, and in the same location. The Council has not contested the appellant's claim that this earlier sign was acceptable or challenged its bearing on the acceptability of this sign as its replacement,
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neither has it set out any change in circumstances regarding signage here, nor otherwise disputed the voracity of this claim.

6. The three arches around this sign already contain a lettering sign, as well as directional and safety signage. While these are prominent on the wall, there is generous space between them. In these circumstances, and in this context, the sign does not undermine the present balance between the signage on the arched wall and the wall's role in the street scene as an architectural element of enclosure. I have had regard to the sign's effect at night. Given the artificial lighting inside the car-park and across the road in the petrol station, together with the general, commercial character of the Lewes Road District Centre in which this section is described as primary shopping frontage, I find no harm from the level of illumination proposed.
7. I conclude that the visual amenity of the area would not be harmed by this sign. I have taken into account saved policy QD12 of the Brighton & Hove Local Plan 2005 which says that advertisements and signs which are detrimental to visual amenity will not be allowed. However, given that I have concluded that the sign would not harm visual amenity, it would not conflict with this policy.

Conclusion

8. For the reasons set out above, I conclude that the appeal should be allowed.

Patrick Whelan

INSPECTOR