

Appeal Decision

Site visit made on 9 September 2020

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/D1780/Z/20/3245596
507-515 Portswood Road, Southampton SO17 2TH

- 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 Bozena Kiepura (Polish Social Club) against the decision of the Southampton City Council.
 - The application Ref 19/01620/ADV, dated 21 September 2019, was refused by notice dated 2 December 2019.
 - The advertisement proposed is '1 x Illuminated wall mounted sign and 1 x fascia sign'.
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Decision

1. For the reasons that follow, the appeal is dismissed insofar as it relates to the 1 x Illuminated wall mounted sign. However, the appeal is allowed and express consent is granted for the display of the 1 x fascia sign advertisement 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. The Council have drawn my attention to the policies they consider to be relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.
3. The application form describes the proposal as 'Display of Sign on the Premises'. However, the Council's decision notice more accurately describes the proposed development as '1 x Illuminated wall mounted sign and 1 x fascia sign'. I have considered the appeal on this basis.
4. The Council in reaching a decision issued a split decision which grants permission for the 1 x fascia sign; however, it falls to me to address the whole of the application afresh. That said, there is nothing in the evidence before me that goes against or contradicts the Council's decision in respect of the 1 x fascia sign. Therefore, express consent is granted for the display of the 1 x fascia sign as applied for.

Main issue

5. The main issue in the appeal is the effect of the proposed advertisement (1 x Illuminated wall mounted sign) on the amenity of the area.
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Reasons

Amenity

6. The appeal site is the Polish Social Club, a two-storey detached property located in a predominantly residential area characterised by two storey terraced properties interspersed with two-storey terraced commercial properties. The proposal is as described above and would be approximately 3.5m high and 0.3m depth illuminated wall mounted sign. As such, the proposed advert in itself would not be visually prominent when viewed in the context of the street scene. However, the wall mounted sign would by way of its illumination appear visually intrusive particularly in the hours of darkness when compared to the largely restrained and advert free upper floors of the buildings that contribute to the character and amenity of the area. This would be particularly apparent when travelling north along Portswood Road towards the A35. Therefore, the illuminated wall mounted sign in this site-specific location would result in material harm to the amenity of the area.

Other considerations

7. I have carefully considered and have a great deal of sympathy for the appellant in that 'the signage was hung as a reminder of a connection between the Poles and all of the other nationalities as a reminder of the history events from World War I and World War II. It was also a monument to mark the good relations between the United Kingdom and Poland'. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described. Consequently, all the points raised by the appellant do not outweigh the concerns which I have in respect of amenity.
8. In reaching this conclusion I have taken into account the appellant's offer to not use the illumination, however, at the time of my site visit both the advert and the lighting fixtures to provide the illumination were in place and therefore I have given this limited weight.

Conclusion

9. For the above reasons and having regard to all other matters, I conclude that the appeal in relation to the 1 x Illuminated wall mounted sign should be dismissed.

Jameson Bridgwater

INSPECTOR