



Appeal Decision

Site visit made on 4 February 2019

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

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

Decision date: 5th March 2019

Appeal Ref: APP/X1735/Z/18/3217073

Fish and Chip Shop, 11 Southwood Road, Hayling Island, Hants PO11 9PS

- 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 Mr Hassan Ali Kadkhodaei against the decision of Havant Borough Council.
 - The application Ref. APP/18/00730, dated 30 July 2018, was refused by notice dated 29 October 2018.
 - The advertisement proposed is a non-illuminated white board with red writing: Height 1.385m & Width 2.970m..
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The sign has already been erected, albeit temporarily covered pending a decision on this appeal. The application is therefore for retrospective permission.

Main Issue

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

Reasons

4. In refusing advertisement consent the Council has three main objections. Firstly, it is considered that the size, scale and design of the sign together with its rooftop position would have an adverse effect on the appearance of the building and its surroundings. Secondly, the sign in this elevated position would create an undesirable precedent, making it difficult to refuse further similar applications from nearby shop owners. Finally, the erection of the sign in addition to the existing advertisements on the building would create a clutter which would be detrimental to visual amenity.
5. I saw on my visit that the appeal premises are one of half a dozen single storey shop units in a parade in Southwood Road near the junction with Rails Lane and that the parade as a whole forms the eastern arm of the Rails Local Centre. In performing the role of a service centre for the surrounding residential area, the various premises at present have an appearance and scale appropriate to their context.

6. Essentially this means that they have fascia boards of a size in keeping with the remainder of the shopfront and the building as a whole, with the advertisements themselves for the most part of a conventional style, appearance and prominence. The appeal premises itself also has a projecting sign; the barber's shop has a Dutch style awning and several of the units have free standing swing signs on their forecourts.
7. However, the large sign erected on the roof of the appeal premises is a radical departure from the existing signage on the shopping parade. It is these existing signs that comprise an appropriate balance between on the one hand the need to inform the public of a locally available service or merchandise and on the other hand the preservation of the visual amenities of the area.
8. I agree the sign succeeds insofar as it draws the eye and I note from the grounds of appeal the positive effect on the appellant's business. However, the sign only catches attention from passers-by because it is so incongruous and noticeably dominating in its impact on the shopping parade and this part of Southwood Road.
9. Furthermore, if I were to allow the appeal there would be no reasonable basis for the Council in all fairness to resist other applications for similar signage from other traders in the locality. And the cumulative effect would be to harmfully compromise the existing character and appearance of the area with a significant detriment to visual amenity.
10. I acknowledge that the appellant is having difficulties in establishing the business and can sympathise with this. I also note that there are a couple of supportive representations, although there are rather more objections on a similar basis to those of the Council. However, neither the business difficulties nor the support for the sign outweigh the harm it causes to the amenity of the area. As regards the former, I consider that there are likely to be a number of marketing initiatives that would have the potential to increase public awareness without having adverse consequences.
11. I have taken account of the Council's policies including Policy CS16 of the Havant Borough Core Strategy 2011 and Policy DM21 of the Havant Borough Allocations Plan 2014 which seek to secure good design and protect amenity and so are material in this case. Given I have concluded that the sign would harm amenity, the the appeal proposal conflicts with these policies.
12. For the reasons explained above the appeal is dismissed.

Martin Andrews

INSPECTOR