
Appeal Decision

Site visit made on 12 January 2017

by Daniel Hartley BA Hons MTP MBA MRTPI

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

Decision date: 18th January 2017

Appeal Ref: APP/H4315/Z/16/3160173

Costcutter Store, Waterside Village Development Site, Lowfield Lane, Sutton, St Helens WA9 5BE

- 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 Kuperan Murugesu against the decision of St. Helens Metropolitan Borough Council.
 - The application Ref P/2016/0485/ADC, dated 14 June 2016, was refused by notice dated 24 August 2016.
 - The advertisements proposed are four non-illuminated poster window advertisements (Trentham Close / Side Elevation); two non-illuminated poster advertisements (outer parts of the Lowfield Lane / front elevation) and two poster door advertisements (Rear Elevation).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council issued a split decision in respect of the advertisement consent application and allowed consent to display 2 No externally illuminated fascia signs, 2 No poster sign boards (Lowfield Lane Frontage-inner), 4 No non-illuminated window/door picture advertisements (Lowfield Lane frontage and car park elevation to rear excluding doorway signs) and 1 No illuminated ground mounted totem sign. Therefore, and notwithstanding the description of development in the advertisement consent application form, the description of development in the above banner heading excludes these consented advertisements and includes only the advertisements that were refused by the Council on 24 August 2016. The main parties have agreed to the description of development in the banner heading.
3. It was evident as part of my site visit that the advertisements had already been erected on the building apart from the advertisements proposed for the rear elevation doors.

Main Issue

4. The main issue is the effect of the advertisements upon the amenity of the area.
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Reasons

5. The appeal building is surrounded by a relatively new housing estate (Waterside Village) and whilst the main entrance is off Lowfield Lane, its car park and side/rear elevations are in very close proximity to a number of residential properties. I note that the Council has already approved a significant amount of signage (including a non-illuminated ground mounted totem sign and illuminated fascia signs) which provide a reasonable and proportionate amount of advertisements for the Costcutter store, particularly when viewed from main public areas.
6. Taking into account the amount and position of the advertisements that have already been allowed on the building and within its grounds, I consider that overall the proposed advertisements would detract from the design of the building and would represent a form of advertisement clutter which would be excessive and intrusive. The advertisements would be detrimental to the overall design of the building and hence the character and appearance of the area. This amenity harm would be particularly apparent when viewed from nearby residential properties (including Haigh Close and Rossington Gardens), the footpath links to the wider housing estate, from parts of Trentham Close and Lowfield Lane and from the car park.
7. For the reasons outlined above, I conclude that the proposal would have a significantly detrimental impact upon the amenity of the area and it would not accord with the amenity aims of saved Policy GEN 10 of the St Helens Unitary Development Plan 1998.

Other matters

8. I have taken into account comments made by the appellant that there is a planning permission in place which would allow other commercial uses within the vicinity of the site. I do not have any details relating to these developments. In any event, I have considered this appeal on its individual planning merits and in terms of the effect that the additional advertisements would have on the design of the building and the character and appearance of the area. Even if the immediate environment were to become more commercial in nature, the building would still be in close proximity to residential development, and hence its appearance would still be very apparent to those that live in the immediate locality as well as to those that visit the store.
9. I note that the appellant would like to display the advertisements so that he can show the type of goods that would be sold in the store. I acknowledge this intention, but it is necessary to strike a reasonable balance between this aim and the amenity of the area. For the reasons outlined above, I do not consider that the right balance has been struck. The appellant has already been granted consent for advertisements which would reasonably fulfil this aim without causing harm to the amenity of the area.
10. None of the other matters raised outweigh my conclusion on the main issue.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, the appeal should be dismissed.

Daniel Hartley

INSPECTOR