

Appeal Decision

Site visit made on 3 January 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 26 January 2017

Appeal Ref: APP/C3620/Z/16/3155883

Lidl Supermarket, Vincent Lane, Dorking RH4 3JD

- 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 Lidl UK against the decision of Mole Valley District Council.
 - The application Ref MO/2016/0647/ADV, dated 18 April 2016, was refused by notice dated 15 June 2016.
 - The advertisement proposed is an internally illuminated freestanding totem sign.
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Decision

1. The appeal is allowed and consent for an internally illuminated freestanding totem sign is granted. The consent is for five years from the date of this decision and is subject to the conditions set out in the Regulations and to the following additional conditions:
 - i) That the intensity of the internally illuminated freestanding totem sign shall not exceed 580 candelas per square metre, and;
 - ii) The illumination of the internally illuminated freestanding totem sign shall be on a daily basis from one half hour after sunset (lighting up time) until the store ceases to be open to customers, that is 20:00 on Mondays to Saturdays and Bank or Public Holidays and 17:00 on Sundays.

Main Issue

2. The main issue is the effect of the advertisement on the character and appearance of the area.

Reasons

3. The National Planning Policy Framework states that advertisements should be subject to control only in the interests of amenity and public safety. The highways authority does not raise any objections in terms of highway safety.
 4. The appeal site is adjacent to the Dorking Conservation Area which includes a large number of older style houses and commercial properties. The houses within the Conservation Area that are close to the appeal site generally face away from the appeal site, with flank walls and rear gardens mainly adjacent to Vincent Lane. In addition, the appeal site is within an area that has a strong character of mixed commercial and residential uses. This includes some new residential properties adjacent to the site. Although the road is one way for traffic, pedestrians can approach the site from the north and south.
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5. Advertising is not uncommon in the area with a number of signs, totems and flags close to the appeal site. I note that most of the signs in the area have no illumination. However, there are clusters of signs which can be clearly seen from the road. There is also a large totem sign to the south of the appeal site. I acknowledge that this is set back further from the road than the proposed totem sign. However, it is positioned along the same building line as the houses close by and the houses opposite do face towards the sign. The circumstances in that case therefore differ from the scheme before me.
6. The proposal is to replace an existing flagpole sign with a totem sign. I acknowledge that the area of the sign would increase and it would be slightly wider. However, it would be the same height as the flagpole. The store logo would not be noticeably different from the existing sign. The lower parts of the sign would be partially screened by the low wall which is part of the boundary of the appeal site and is a distinctive feature in its own right. The majority of the sign would have a grey surround and would appear muted in comparison to the logo of the store. This colouring would be sympathetic to those found in the area and would not be intrusive in the street scene. The illuminated area at the top of the sign would be significantly reduced in brightness in comparison to the existing sign. This would decrease the prominence of the proposed advertisement and would be of benefit in relation to adjoining residents at the times when the sign would be illuminated.
7. The sign would be positioned so it would not face directly towards the Conservation Area. Moreover, it would be clearly viewed in the context of new residential development, existing commercial uses, the store car park, a bus stop, and a number of street lights close to the site. In the context of the relationship of the mixed use nature of the area, the advertisement would preserve the setting of the Conservation Area.
8. I have taken into account saved Policies ENV22, ENV36, ENV39 of the Mole Valley Local Plan 2000 and Policy CS14 of the Mole Valley Core Strategy 2009 and the Council's Shopfront Design Guide. These seek to protect visual amenity and so are material in this case. Given that I have concluded that the proposal would not cause harm to visual amenity, the proposal does not conflict with these policies.

Conclusion

9. For the above reasons I conclude that the proposed advertisement would not be detrimental to visual amenity. The appellant has proposed conditions relating to the illumination level and opening hours and I agree these are necessary. However, the light levels of the advertisement should be in accordance with that which is proposed and should be limited to 580 candelas per square metre. I shall therefore allow the appeal subject to the five standard conditions and conditions relating to the illumination level and opening hours.

L Gibbons

INSPECTOR