
Appeal Decision

Site visit made on 21 April 2017

by Matthew Birkinshaw BA(Hons) Msc MRTPI

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

Decision date: 111th May 2017

Appeal Ref: APP/M4320/Z/16/3162150

Units 1 and 2, 34-36 Tulketh Street, Southport, PR8 1BX

- 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 SportsDirect.com Retail Limited against the decision of Sefton Metropolitan Borough Council.
 - The application Ref DC/2016/01603, dated 10 August 2016, was refused by notice dated 12 October 2016.
 - The advertisement proposed is the display of two illuminated fascia signs – both 2.4m x 2.4m aluminium fascia with flex face sign panels with applied vinyl brand graphics and static internal illumination, white on red background.
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Decision

1. The appeal is allowed and express consent is granted for the display of two illuminated fascia signs – both 2.4m x 2.4m aluminium fascia with flex face sign panels with applied vinyl brand graphics and static internal illumination, white on red background, 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.

Procedural Matters

2. Advertisement consent was sought for various illuminated and non-illuminated signage at the appeal property, all of which is now in place. However, the Council issued a split decision and refused consent for the two red fascia signs on the front elevation. I have therefore determined the appeal on this basis, with the signage in dispute relating to the 'Under Armour' and 'Puma' signs above the entrance to the store. I have also referred to the description of development used on the appeal form, which more accurately describes the disputed advertisements.
3. Following submission of the appeal the *Sefton Local Plan* has been adopted. As a consequence, Policy MD7 of the *Sefton Unitary Development Plan* has been superseded by Local Plan Policy EQ11. Both parties have been provided with an opportunity to comment on this change, and I have taken Local Plan Policy EQ11 into account in reaching my decision.

Main Issue

4. The main issue is the effect of the additional red fascia signs on the character and appearance of the host property and the streetscene within Tulketh Street.
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Reasons

5. The appeal property is a large retail store with car parking above. At first floor level are a number of advertisements which are all clearly visible within the streetscene owing to their size and siting. I therefore appreciate the Council's concerns regarding the cumulative impact of the additional red fascia signs.
6. However, the retail store and gym occupy a substantial building which stretches a considerable distance along Tulketh Street. Due to its size, and the expanse of cladding screening the car park above, the signs do not dominate the host property. For the same reasons they have not resulted in an unduly cluttered appearance.
7. Furthermore, whilst the cumulative effect of the signage creates a bold, distinctive appearance, the store is located within the town centre surrounded by different commercial operators. During my site visit I saw a wide range of fascia signs along Tulketh Street and throughout the surrounding streets. When viewed in this varied context the additional 'Under Armour' and 'Puma' signs are not harmfully out of place.
8. I therefore conclude that given the size of the store, and when viewed in the context of its town centre surroundings the additional red fascia signs do not harm the character and appearance of the host property or the streetscene within Tulketh Street. As a result, there is no conflict with the Regulations which require decisions for advertisement consent to be made in the interest of visual amenity (and/or highway safety). For the same reasons there is also no conflict with Local Plan Policy EQ11 which states that advertisements will be granted consent where they do not have an unacceptable impact on amenity. Finally, the proposal accords with the National Planning Policy Framework which states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.

Conclusion and Conditions

9. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.
10. Aside from the five standard conditions set out in the Regulations, no other conditions have been identified as necessary by the Council. Although the highways officer has requested that the luminance levels are restricted, no detailed evidence has been submitted to substantiate why this is necessary in the interests of safety. Based on the information provided, and taking into account the location of the advertisements within the context of their varied town centre surroundings, I find no reasons to indicate that such a condition is necessary in this particular instance.

Matthew Birkinshaw

INSPECTOR