The Planning Inspectorate

Appeal Decision

Site visit made on 25 May 2017

by D Cramond BSc MRTPI

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

Decision date: 08 June 2017

Appeal Ref: APP/M1710/Z/17/3171587
Lidl Store, 18 Forest Centre, Bordon, Hampshire, GU35 0TN

- 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 East Hampshire District Council.
- The application Ref 35978/016, dated 8 December 2016, was refused by notice dated 23 January 2017.
- The proposal is to display an internally illuminated freestanding totem sign.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Appellant has confirmed that the application form has incorrect dimensions and that the scheme relates to a 3m totem which is of 3.0m height, 1.05m width, and 0.3m depth. This accords with the submitted plans and were the dimensions used by the Council at the time of consideration of the application. I am determining the appeal scheme on this basis.

Main Issue

3. The main issue is the effect of the proposal on amenity.

Reasons

4. The Council refers to a development plan policy. The Regulations require that decisions be made only in interests of amenity and public safety. Therefore a development plan policy alone cannot be decisive, but I have taken it into account as material considerations.

Amenity

5. The proposal is as described above and would be a steel frame with Company logo and information aluminium panels running across with the maximum luminance to be in the upper area of approximately 580 cd/m^2.

6. The relevant retail unit forms part of The Forest Shopping Centre and the location planned for the display is at an outer edge of this retail area and associated community uses, close to the junction of Forest Road and Pinehill Road. There is also a considerable extent of residential development locally. The immediate scene incorporates an appreciable degree of soft landscape. The Appellant's car park is within the junction area but is set fairly discreetly at a lower level. The intended totem sign for the Appellant's store would be some

considerable distance from that building and the store encompasses a degree of branding and attached advertisement. Existing signage for the Shopping Centre is very low key with limited general signage and no individual businesses with their own signs or listings anywhere close to the junction in question.

7. In this context the proposed advertisement structure would be strident and inappropriate visually. The incongruity would be marked by reason of its form, location, size and illumination. This particular area of mixed development and landscape has a relatively low key character and is far from appearing as an extensively 'commercialised' zone. To my mind the proposed sign would take it in that unfortunate direction. The appeal scheme would be jarring on the eye; it would intrude upon amenity.

Other matters

8. I have considered both the National Planning Policy Framework and Planning Practice Guidance advice on advertisements and the factors embodied in these documents on matters such as economic and business encouragement and advertisements potentially being more favoured in commercial areas. However, the Framework explains that control in the interest of amenity is valid where there would be appreciable impacts such as I have described.

9. I appreciate that the proposed sign has been 'tailored' to reduce its scale from the standard model used by the Appellant and that the store does not have free-standing signage providing advertisement or information for patrons. I recognise that the Appellant did amend the scheme from its earlier intent. There is no highway safety issue. Other totem displays cited are some distance away and in different contexts. I recognise that the Appellant offers controlling conditions over hours of illumination and its intensity; that the Guidance Notes for the Reduction of Obtrusive Light GN01:2011 appear to have been followed; and that colouring for appreciable parts of the display would not be on the brighter spectrum. Nevertheless to my mind this would not provide sufficient mitigation. I have carefully considered all the points raised by the Appellant. However these matters do not outweigh the concerns which I have in respect of the main issue identified above.

Overall conclusion

10. For the reasons given above I conclude that the proposal would be unduly detrimental to amenity. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR