



Appeal Decision

Site visit made on 12 July 2017

by D Guiver LLB(Hons) Solicitor

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

Decision date: 26 July 2017

Appeal Ref: APP/M2515/Z/17/3173102
Unit 1, Lindis Retail Park, Lincoln LN6 7QY

- 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 Iceland Foods Limited against the decision of Lincoln City Council.
 - The application Ref 2017/0070/ADV, dated 24 January 2017, was refused by notice dated 10 February 2017.
 - The advertisement proposed is a sign to the rear elevation.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the fascia sign 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.

Preliminary Matters

2. Since the date of the decision the Central Lincolnshire Local Plan 2017 (the Local Plan) has been adopted and therefore this appeal is determined in accordance with that Plan. However, Policy LP27, upon which the Council now relies, does not differ from Policy 30 of the former City of Lincoln Local Plan 1998 referred to in the decision notice in any material way that would affect my determination of this appeal.
3. At the time of my visit the proposed advertisement was in place and I am therefore considering this appeal retrospectively. However, this has not affected the determination of my decision.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

5. The advertisement is a red, black and white illuminated fascia sign measuring approximately 3.5 metres horizontally and 1.5 metres vertically, and sits approximately 3.5 metres above ground level. The sign is affixed to the rear elevation of the appeal site, which is a retail outlet operated by the appellant, and is similar in colour and design to the approved signage attached to the front and side elevations of the building. The building is a large block with

simple, unadorned elevations and a shallow pitched roof typical of many modern retail developments.

6. The appeal site is located within a retail estate that is part of a larger commercial area on Tritton Road, one of main roads out of Lincoln City Centre. The retail estate sits to the west of the road and is served by two vehicular entrances. There are a number of large, mature trees close to the estate boundary with Tritton Road, which screen the buildings near the southern vehicular entrance that are built closer to the road, including the appeal site. The estate is dominated by a large Sainsbury's supermarket. To the east of the road is a large residential estate.
7. Advertising at the retail estate is characterised by large, illuminated signs affixed to particular units or contained within various totem structures. A large totem structure sits close to the northern vehicular entrance and advertises the Sainsbury's supermarket and petrol station. This totem is prominent and is visible from both northern and southern approaches to the site. At the southern vehicular access there is a large illuminated freestanding pole sign advertising a McDonald's restaurant, which is also highly visible when approaching the site.
8. The sign subject to this appeal is not visible from Tritton Road or the residential estate to the east of the road. The sign is well proportioned and sits on the same elevation as the fascia for the neighbouring Domino's Pizza takeaway. I consider that the sign is compatible with the simple design and appearance of the host building. The McDonald's restaurant is in a separate building and its signage is not close to the appeal site, and the proximity of the respective buildings does not create any cluttered appearance.
9. The maximum illumination of the sign is approximately half that approved for the McDonald's pole sign. I have no evidence before me in relation to the measurement of illumination of the Domino's Pizza fascia that sits on the same elevation but even in daylight its illumination was noticeable. Therefore, I consider that the illumination of the sign subject to this appeal to be reasonably restrained.
10. Overall, I consider that the sign subject to this appeal is appropriate to the building and the surrounding retail estate and therefore does not have a detrimental effect on the visual amenity of the area. As a consequence I consider that the sign accords with the National Planning Policy Framework and, insofar as it is a material consideration to this appeal for advertisement consent, Policy LP27 of the Local Plan.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

D Guiver

INSPECTOR