
Appeal Decision

Site visit made on 1 November 2017

by Andy Harwood CMS MSc MRTPI

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

Decision date: 16 November 2017

Appeal Ref: APP/Z1775/Z/17/3180058

Lidl, Goldsmith Avenue, Portsmouth PO4 8BU

- 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 Tim Hazeldine of Lidl UK against the decision of Portsmouth City Council.
 - The application Ref 17/00419/ADV, dated 8 March 2017, was refused by notice dated 23 May 2017.
 - The advertisement proposed is 2 internally illuminated fascia signs and 2 externally illuminated billboard hoarding signs.
-

Decision

1. The appeal is allowed and express consent is granted for the display of the 2 externally illuminated billboard hoarding signs as applied for ('2a' and '2b'). 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 and the following additional conditions:-
 - 1) The signs permitted by this consent shall only be illuminated during the opening hours of the premises to which they relate.
 - 2) The intensity of the illumination of the hoardings permitted by this consent shall be no greater than 300 candela (cd/m²).
 - 3) The sign display and any illumination shall remain static at all times.

Preliminary Matters

2. The Council partly approved and partly refused consent for the advertisements that were applied for. Only the 2 externally illuminated billboard hoarding signs were considered unacceptable. These are indicated as '2a' and '2b' on the plans. I will deal with the appeal on the basis that it relates to those advertisement hoardings only which have already been installed.

Main Issue

3. Under the regulations it is necessary for me to consider the appeal in the interests of amenity and public safety. The Council has not raised concerns about public safety. The main issue is therefore the effect of the advertisement on the visual amenity of the building and surrounding area.

Reasons

4. The appeal site is a supermarket building with car park within a primarily

commercial area. The surrounding area contains various prominent commercial advertisements. There is signage on the filling station forecourt to the east of the site, on the existing supermarket and there are also large hoardings alongside railway land on the opposite side of Goldsmith Avenue.

5. The hoardings in this case are positioned on the side of the building, on the back edge of the footway facing Goldsmith Avenue close to a bus shelter. They cover a small proportion of the building elevation and do not stand out much beyond the extent of the frame of the structure. The hoardings are not very noticeable from distanced views when approaching along the road and only become conspicuous at closer quarters. The advertisements therefore have a very limited impact upon the street-scene. The signage appears physically integrated with the side of the building and the appellants intend to only illuminate them during trading hours and are agreeable to a condition to that effect. The Council's highway engineer also requires other limitations regarding the intensity of the illumination and that the displays should be static to prevent highway safety concerns. I consider that these are reasonable restrictions and have addressed these matters within additional conditions to those imposed as standard within the regulations.
6. The advertisements have a localised impact close to the building and do not contribute significantly to the cumulative effect of signage along Goldsmith Avenue. In relation to the main issue, the advertisements therefore have an acceptable impact upon the visual amenity of the building and surrounding area. In addition to the requirements of the regulations, the advertisements would have an appropriate appearance which would comply with Policy PCS23 of the Portsmouth Plan¹.

Conclusion

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

A Harwood

INSPECTOR

¹ A spatial plan for Portsmouth, The Portsmouth Plan (Portsmouth's Core Strategy), adopted 24 January 2012