



Appeal Decision

Unaccompanied site visit made on 20 May 2020

by K Savage BA MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 June 2020

Appeal Ref: APP/Z4718/Z/20/3247470

Lidl, Riverholme Works, Huddersfield Road, Holmfirth HD9 3TN

- 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 GB Limited against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/64/93688/W, dated 24 October 2019, was refused by notice dated 3 January 2020.
 - The advertisement proposed is one illuminated 'flagpole' sign.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for 5 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 intensity of the illumination of the advertisement hereby permitted shall be no greater than 580 candela per square metre.
 - 2) The advertisement hereby permitted shall not display any moving, or apparently moving images at any time.

Preliminary Matters

2. The Regulations require decisions in respect of applications to control advertisements to be made only in the interests of amenity and public safety. Development plan policies, so far as they are relevant to the proposal, may be taken into account as material considerations, but they are not decisive.
3. The Council has not raised issues of public safety, and I have no reason to object on these grounds.

Main Issue

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

Reasons

5. The Council refers to Policies LP24(a) and LP25(1)(a) and (b) of the Kirklees Local Plan (February 2019), which seek good design by ensuring development respects and enhances the character of the townscape, heritage assets and landscape; and that the display of advertisements will only be permitted if the design is consistent with the character of the existing building in terms of scale, quality and use of materials, and proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest.

6. The proposed advertisement would be located to the side of an existing Lidl supermarket and adjacent to Huddersfield Road. It would comprise a 2.1m x 2.1m square, internally illuminated Lidl corporate logo sign above two smaller, 600m x 2.1m rectangular signs, all attached to a steel pole. The signs would stand between 2.618m and 5.980m above the ground. Presently, the supermarket has low level signage at the entrance to the site, two fascia signs at the main store entrance within the interior of the site, and a single fascia sign to the roadside elevation. I understand these are the signs permitted in 2013 by a previous appeal referred to me (APP/Z4718/H/2186978).
7. Huddersfield Road forms a main arterial route into and out of Holmfirth, and whilst there are residential dwellings along the route, so too are a number of business and other non-residential uses which have signage of varying forms at the roadside. I noted taller totem/flagpole style signs to an Aldi supermarket, a petrol filling station and a car dealership on my approach to the site from the north. Such signage is not unexpected in roadside locations where passing trade is sought, and the appeal site occupies a similar location toward the edge of the town centre. Indeed, there is little to indicate the building as a Lidl supermarket until one is virtually at the main entrance. Opposite the appeal site is a large, industrial building occupied, on the basis of the signage at the entrance, by several businesses. The site is not within a conservation area or proximate to any designated heritage asset.
8. The proposed flagpole advertisement would not appear incongruous within this roadside context, where signage for other businesses, road signs and traffic lights are present within the immediate road corridor. A single flagpole to the roadside would not result in a proliferation of signage or create visual clutter as it would be set apart from the main entrance signage and other signage in the immediate area, and despite its height, it would not appear excessive in size when seen against the greater scale of the supermarket and the building opposite. The advertisement would also be consistent with the appearance of others at the appeal site, and would be sympathetic to the overall commercial design of the main building and its roadside location.
9. In terms of illumination, the main sign is indicated to be illuminated to a maximum of 580 candelas per square metre, which would not be excessive even during hours of darkness given the adjacent road is lit by street lighting.
10. For these reasons, I find that the proposed advertisement would not be harmful to the amenity of the area and would not conflict with the requirements of the aforementioned development plan policies, so far as they are material, or the guidance of the National Planning Policy Framework.
11. The Council has not suggested any conditions beyond those which the Regulations impose as standard. However, as the advertisement would be adjacent to a main thoroughfare, I have imposed additional conditions limiting illumination to the level sought and restricting use of any moving images to ensure its operation does not distract drivers and compromise highway safety.

Conclusion

12. For the reasons given, the appeal is allowed.

K Savage INSPECTOR