



Appeal Decision

Site visit made on 7 September 2020 by Ben Phillips BSc MSc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 29 September 2020

Appeal Ref: APP/WO340/Z/20/3252407

Newbury Retail Park, Pinchington Lane, Newbury RG14 7HU

- 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 James Mitchell, Lidl Great Britain Ltd, against the decision of West Berkshire Council.
 - The application Ref 20/00319/ADV, dated 26 January 2020, was refused by notice dated 3 April 2020.
 - The advertisement is described as a freestanding Lidl 'flag style' sign adjoining vehicular access into Newbury Retail Park off Pinchington Lane.
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Decision

1. The appeal is allowed, and express consent is granted for freestanding Lidl 'flag style' sign adjoining vehicular access into Newbury Retail Park off Pinchington Lane at Newbury Retail Park, Pinchington Lane, Newbury RG14 7HU in accordance with the terms of the application Ref: 20/00319/ADV, dated 26 January 2020 and subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue in this case is the effect of the proposed advertisement on the visual amenity of the area.

Reasons for Recommendation

4. The proposed sign would be located within a retail park. As such there is a busy commercial character to the surroundings with a variety of advertisement material, including fascia and roof signs, pylon and totem signs.
5. The proposed flag sign would be located next to an existing pylon sign which sets out the companies on the retail park, within a landscaped area between a car parking area and the highway, and close to a separate tall freestanding 'Pizza Hut' signage. On the opposite side of Pinchington Lane is a tall pylon sign advertising a Tesco superstore.
6. It would be much lower in height than the pylon sign next to which it would be sited. Its differing design and scale to this sign would ensure that it would not

be visually intrusive or result in a cluttered appearance in this location. Nor would it affect the quality and value of the landscaping area in this location, given its slim line, pole design. Moreover, it would be located sufficiently far away from other signage in the locality to ensure that harm to the visual amenity of the area would not occur.

7. Concern is raised regarding the need for the proposed sign, given the existing adjacent sign serving the retail park, however, I have assessed the proposal in accordance with the Regulations, National Planning Policy Framework and Planning Practice Guidance, which set out that advertisements should be subject to control only in the interests of amenity and public safety.
8. In light of the foregoing, I conclude that the proposed advertisement would not harm the visual amenity of the area. There is therefore no conflict with the requirements of Policies CS14 and CS19 of the West Berkshire Core Strategy 2006-2026 Development Plan Document (2012), which, along with paragraph 132 of the National Planning Policy Framework (the Framework) are material in this case and collectively require that advertisements have no adverse impact on the character and appearance of the area.
9. The Council have also referred to the 'Supplementary Planning Guidance on Shopfronts and Signs, July 2003' however have not provided this document. As such, I am unable to assess the proposal against this document.

Conditions

10. The Council have suggested that that the 5 standard conditions as set out in in Schedule 2 of the 2007 Regulations are appropriate. I have no reason to disagree.

Recommendation

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

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed, subject to conditions.

RC Kirby

INSPECTOR