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## Appeal Decision

Site visit made on 16 November 2020

**by James Taylor BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 November 2020**

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**Appeal Ref: APP/D1780/Z/20/3256525**  
**73 The Avenue, Southampton SO17 1BL**

- 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 Ms Victoria Burton (Lidl Great Britain Ltd) against the decision of Southampton City Council.
  - The application Ref 20/00525/ADV, dated 8 April 2020, was refused by notice dated 11 June 2020.
  - The advertisement proposed is described as 'freestanding double-sided internally illuminated Lidl flag style sign'.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on visual amenity.

### Reasons

3. The appeal site is located at the junction of The Avenue and Banister Road within The Avenue Conservation Area. The site is viewed with the Stag Gates Shopping Parade which, as set out within The Avenue Conservation Area – Conservation Area Appraisal and Management Plan (November 2013) (CAAMP), currently detracts from the character and appearance of the conservation area at this point due to the extensive forecourt parking and installation of inappropriate shop fronts. As such, this is a sensitive location.
4. The proposed sign would be located forward of the built-up frontage formed by this parade of commercial properties, very close to the back edge of the pavement. Additionally, the sign would be high and wide and appear as a large and bulky structure, despite being raised circa 2.4 metres from the ground. Furthermore, the proposed materials and internal illumination would be overtly contemporary. Consequently, the proposed sign would be prominent and visually intrusive. It would add to the inappropriate development at this point in the conservation area.
5. The previous sign in this location has been removed and the appellant acknowledges that it was smaller than the proposal and externally illuminated. Furthermore, this signage was approved some years ago prior to the publication of the National Planning Policy Framework (the Framework) and the CAAMP. For these reasons I afford this history limited weight.

6. Nonetheless, within the vicinity of the appeal site there is a context for commercial signage, including the use of several standard corporate brands. These include most notably the totem sign to the south of the site advertising a car sales operation. Whilst comparable to the proposed sign, the totem is set back from The Avenue by a greater distance and is located behind the street trees. As such, it appears less prominently than the proposal would. Furthermore, the appellant highlights that this was approved as a package of replacement signage, unlike the proposal before me. I have very limited evidence of the history that has led to the other existing commercial signage and, in any event, none is the same as the proposal before me. As such, I afford these advertisements limited weight in support of the proposal.
7. Rather, the CAAMP identifies that a threat to the conservation area is the unregulated proliferation of advertising. The erection of a prominent and visually intrusive sign would add to the high number of advertisements at this point. The cumulative effect would neither preserve nor enhance the character or appearance of the conservation area.
8. The appellant has drawn attention to a number of appeal decisions in support of the proposed use of standard corporate branding and advertisements within conservation areas. However, full contextual details have not been provided and, as such, I have afforded them little weight and proceeded to determine the appeal on its own merits. Furthermore, my consideration of the merits of this proposal are necessarily limited only to amenity and public safety. Therefore, other matters such as need, including potential economic benefits, are beyond the scope of this appeal.
9. The Framework sets out at paragraph 132 that cumulative impacts should be taken into account and that the quality and character of places can suffer when advertisements are poorly sited and designed. Furthermore, I have taken into account policies CS13 and CS14 of the Local Development Framework Core Strategy Development Plan Document, Adopted Version 20 January 2010 and 'saved' policies SDP 1, SDP 24 and HE 1 of the City of Southampton Local Plan Review, Adopted Version March 2006. These seek to protect amenity and so are material in this case. Given I have concluded that the proposal would harm amenity, the proposal conflicts with these policies.

## **Conclusion**

10. For the reasons given above I conclude that the display of the advertisement would be detrimental to the interests of amenity.

*James Taylor*

INSPECTOR