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## Appeal Decisions

Site visit made on 21 June 2021

**by Mrs H Nicholls FdA MSc MRTPI**

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

**Decision date: 13 July 2021**

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### **Appeal A Ref: APP/X1118/Z/21/3272522**

#### **Lidl Barnstaple, Gratton Way, Barnstaple**

- 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 Great Britain Limited against the decision of North Devon Council.
  - The application Ref 72680, dated 22 December 2020, was refused by notice dated 25 February 2021.
  - The advertisement proposed is 1no. Flagpole, 2no. Fascia Signs, 1no. Bubble Sign, 3no. Illuminated Billboards - Wall Mounted, 2no. Illuminated Small Billboards - Wall Mounted, 1no. Poster Display Unit.
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### **Appeal B Ref: APP/X1118/Z/21/3275265**

#### **Lidl Barnstaple, Gratton Way, Barnstaple**

- 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 Great Britain Limited against the decision of North Devon Council.
  - The application Ref 72964, dated 23 February 2021, was refused by notice dated 19 April 2021.
  - The advertisement proposed is 1no. Free Standing - Fascia Sign.
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### **Decision**

1. That part of Appeal A that relates to the 1 no illuminated flagpole sign and 2 no illuminated small billboards – wall mounted is dismissed. That part of Appeal A that relates to the 2 no illuminated canopy mounted fascia signs (Type 1) and 1 no illuminated billboard - wall mounted, as applied for, is allowed and express consent is granted for their display. 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 condition:
  - 1) The signs hereby permitted by this consent shall not be displayed in illuminated form when the premises are closed to the general public.
2. Appeal B is dismissed.

### **Preliminary Matters**

3. The appeal application under Appeal A sought consent for 10 advertisements. Of these, a total of 4 advertisements were given express consent by the Council. The remaining 6 adverts were refused and this is what I have considered in the determination of Appeal A. Under Appeal B, express consent was refused for the one advertisement applied for.

4. I saw on my visit that a number of signs proposed under Appeal A were in place, including: the 2 no fascia signs above the store (Type 1), 1 no Type 2 fascia sign, 3 no wall mounted illuminated billboards and 1 no poster display unit. The 2 no Type 1 fascia signs and one of the wall mounted illuminated billboards do not benefit from express consent. Thus, these elements of Appeal A are retrospective and I have considered Appeal A on this basis.
5. For the reasons that follow, I find the proposed 2 no illuminated canopy mounted fascia signs (Type 1) and the additional 1 no wall mounted billboard to be acceptable and clearly severable both physically and functionally from the others proposed under Appeal A. Therefore, I intend to issue a split decision and grant express consent for the 2 no illuminated canopy mounted fascia signs (Type 1) and 1 no wall mounted illuminated billboard.

### **Main Issue**

6. The main issue, common to both appeals, is the effect of the advertisements upon the amenity of the area.

### **Reasons**

7. The building to which the advertisements relate is a newly-constructed supermarket within a commercial and retailing area of Barnstaple. Given the prevailing use types, buildings in the area are large and in the main surrounded by large areas of carparking and highway infrastructure. Despite the sizes of the buildings and number of businesses present within the area, the amount of signage present on buildings and elsewhere along the highway is generally restrained and the area does not appear visually cluttered. Signage is generally kept lower than roof heights of buildings and to a scale and location that means that the buildings are not dominated by signage. Some 'welcome'-type signage is present at the roadside at the entrances to some car parks, but such features were not particularly tall or domineering.
8. The Type 1 fascia signs display the store name on each road-facing elevation and project above the highest point of the roof of the building. However, the store building itself is low level relative to many in the surrounding area. It has a simple roof profile and generally understated design. Though positioned at a higher than typical level for signs in the area, the fascia signs appear as an acceptable part of the asymmetric roof form on an otherwise relatively featureless building. They do not detract from its overall appearance when seen in combination with the Type 2 Fascia sign and poster display unit.
9. Due to the proximity of the host building to the road, the Type 1 canopy-mounted fascia signs are particularly visible from the highway and are sufficient to catch the eye of passing motorists. Given this, the addition of the elevated flagpole advertisement, only a short distance away, would result in a needless proliferation of signage within a concentrated area and, due to its height and scale, would become a dominant feature within the streetscene. That the nearby fast food retailer has a 'golden arches' flagpole is not indicative of a precedent that it would be desirable to replicate, and in any event, that flagpole is positioned within a car park rather than directly adjoining the road.
10. For similar reasons to the above, the 1 no freestanding fascia sign proposed under Appeal B would result in the same harms. It would be seen in association with the 2 fascia signs that I consider acceptable, but would result in further

spread of essentially duplicate messaging, making the site appear overcrowded by signage and a brash addition within the streetscene.

11. In respect of the 3 no wall mounted billboard signs, 2 have express consent and the third has been displayed without the benefit of the same. The addition of one further billboard does not detract from the composition of the elevation and the style of the adverts differ sufficiently from the main store fascia signs so as not to compete with them or create an overly cluttered appearance.
12. However, the 2 no smaller wall mounted billboards would add a degree of visual clutter that would be harmful to the amenities of the area. The cumulative effect of those signs permitted in combination with the larger billboards would undermine the simplicity and subtlety of the building's design and appearance. Though the sections of wall on which these billboards would be placed are recessed, the billboards would still be particularly visible given the roadside location of the entrance corner of the building. In my view, the smaller billboards could not be additional to the 3 no larger billboards without making the building appear overly brash, tasteless and cluttered.
13. I have considered the other appeal decisions<sup>1</sup> put to me in relation to advertisements on other supermarkets elsewhere in the appellant company's ownership. Whilst I have agreed with some views about the acceptability of aspects of these appeals, the site-specific factors in this case, including the building's proximity to the road and the general style, position and design of signage on other local buildings, in combination with the number of signs proposed, lead me to conclusions that differ in other respects.
14. Consequently, in respect of the 1 no flagpole and 2 no smaller wall mounted billboards under Appeal A and the separate freestanding fascia sign under Appeal B, I consider that there would be harm to the amenities of the area in conflict with Policies ST04, DM04 and DM22 of the North Devon and Torridge Local Plan (2018). These Policies seek to ensure that the local street scene is conserved and signs are appropriate to the design and character of the building on which they are installed and that excessive signage is avoided. Given I have concluded that these aspects would harm amenity, there would also be conflict with the Framework, which sets out that poorly placed advertisements can have a negative impact on the appearance of the built environment. However, for reasons also outlined the aspects of Appeal A which would not be harmful would be compliant with the aforementioned Policies and the Framework.

## Conclusion

15. For the reasons above, I conclude that the part of Appeal A that relates to the 2 no illuminated canopy mounted fascia signs (Type 1) and 1 no wall mounted billboard is allowed. In terms of conditions, in addition to those required by the Regulations, a condition restricting the timing of illumination is necessary.
16. For reasons also outlined above, that part of Appeal A relating to the 1 no flagpole and 2 no smaller wall mounted billboards, along with Appeal B, are dismissed.

*Hollie Nicholls*  
INSPECTOR

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<sup>1</sup> Refs: APP/X1735/Z/18/3209843, APP/D1265/Z/20/32514444 & APP/D1780/Z/20/3260849