



Appeal Decision

Site visit made on 7 September 2021

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2021.

Appeal Ref: APP/P2365/Z/21/3277677

Land adjacent Tile Giant, Hattersley Way, The Hattersley Centre, Ormskirk

- 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 J Mortimer, Lidl Great Britain Limited against the decision of the West Lancashire Borough Council.
 - The application Ref 2021/0303/ADV, dated 10 March 2021, was refused by notice dated 29 April 2021.
 - The advertisement proposed is display of internally illuminated totem sign.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council altered the description of the advertisement proposed and site address. I consider the revised site address and description of the advertisement proposed, however omitting the reference to Lidl, to be a more accurate description of the appeal proposal and its location, accordingly I have adopted the amended descriptions in the heading above.
3. Since the determination of the application the National Planning Policy Framework 2021 (the Framework) has been published. The revised Framework does not diverge significantly from the previous version. No party has been prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

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

Reasons

5. The appeal site lies adjacent to a large commercial premises on an area of open space adjacent the vehicular entrance to the Hattersley Centre Retail Park. The location of the proposed sign is outside of the retail park boundary, visually separating the adjacent retail park from the neighbouring residential property.

6. The proposed illuminated totem sign would be viewed against the backdrop of the retail park when travelling from Yew Tree Road and north on Burscough Street. When travelling south on Burscough Road the proposed totem sign would be set against the backdrop of the adjacent residential property.
7. There are a number of advertisements in the area, this is not uncommon for a retail park. Notwithstanding this the proposed totem sign which would advertise Lidl and have space to advertise other commercial units would replicate, to a degree, the multi user free standing tower sign adjacent Costa, at the other side of the entrance to the retail park. Whilst separated from other advertisements within the retail park, the proposed totem sign would lead a proliferation of advertisements at the junction of the retail park which in combination would be excessive.
8. I observed during my site visit that the landscaped/open verges which bound the retail park are a positive feature of the streetscene. Even if the appeal site is allocated as part of a Strategic Employment Site it does not follow that such land should not be an area of open space within such a site. The provision of open areas or landscaping within a retail park are not uncommon, providing visual relief from, as in this case, commercial development.
9. The proposal includes landscaping in the form of a wall/railing, tree and shrubs to the small piece of open space. The soft landscaping would soften the appearance of the proposed totem sign, however the wall/railings would impinge upon this open aspect. The proposed totem sign would erode the openness of the area, and be an unsympathetic addition to the streetscene.
10. The proposed totem sign has been reduced in size from that previously proposed and dismissed at appeal¹. Whilst reduced in scale and even though the illumination could be controlled to switch off at night, the proposed totem sign in this location would be a dominant feature in the streetscene.
11. I have been advised of the need for signage at the retail park entrance to direct visitors to the units, including Lidl, to the rear of the retail park. Whilst a business need may arise this does not outweigh or justify the harm to amenity that would arise as a result of the totem sign proposed in this case.
12. The Appellant has drawn my attention to a number of totem advertisements which have secured consent. Notwithstanding this the approvals do not account for this advertisement, each proposal must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.
13. I find that the proposed advertisement would harm the amenity of the area. There is conflict Policies GN3 and EN2 of the West Lancashire Local Plan 2012-2027, Development Plan Document (2013) which seek amongst other things to ensure development is of high quality design and to protect landscape characters which have a positive contribution.
14. There is also conflict with the Framework which seeks to protect the quality and character of places from poorly sited and designed advertisements.

Conclusion

¹ APP/P2365/Z/20/3249379

15. For the reasons given above I conclude that the appeal should be dismissed.

C Pipe

INSPECTOR