



Appeal Decision

Site visit made on 10 July 2023

by Hollie Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2023

Appeal Ref: APP/Y1110/Z/22/3312878

Land at Pinbrook Court, Pinhoe Road/Venny Bridge Road, Exeter EX4 8JQ

- 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 Ltd against the decision of Exeter City Council.
 - The application Ref 22/0563/ADV, dated 7 April 2022, was refused by notice dated 17 October 2022.
 - The advertisement proposed is installation of 1 no. 6m flagpole style sign, 2 no. store fascia signs (canopy mounted), 2 no. large wall mounted billboards, 2 no. small wall mounted billboards, 1 no. trolley bay sign and 1 no. freestanding poster display unit.
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Decision

1. That part of the appeal that relates to the 1 no. 6m flagpole style sign is dismissed. That part of the appeal that relates to 2 no. store fascia signs (canopy mounted), 2 no. large wall mounted billboards, 2 no. small wall mounted billboards, 1 no. trolley bay sign and 1 no. freestanding poster display unit as applied for is allowed and express consent 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.

Procedural Matters

2. I have taken the description of development from the Council's decision notice.
3. With the exception of the flagpole advertisement, I noted from my site visit that the remaining adverts are already being displayed at the premises. My attention has been drawn to an application for the same made since submission of the appeal, though, even on request, the parties did not provide an indication as to the outcome of such. Though it is likely that these advertisements benefit from the necessary consent and are not to be treated as retrospective, I have considered the appeal before me in any event.

Main Issue

4. The National Planning Policy Framework (the Framework) sets out that advertisements should be subject to control with regard to amenity and public safety, taking account of cumulative impacts. I note that the Council has not raised any issues regarding public safety and this was not a reason for refusal. On the basis of there being no evidence to the contrary and observations made during the site visit, I see no reason to disagree.
5. The main issue is therefore the effect of the proposed flagpole style advertisement on amenity, having regard to the character and appearance of the street scene and surrounding area.

Reasons

6. The recently-constructed supermarket sits adjacent to Pinhoe Road and is accessed via Venny Bridge. It has a prominent position in a mixed residential/commercial area, with largescale residential expansion ongoing at the present time. The appeal site itself sits in front of a trading estate, in close proximity to a car hire premises and another recently-constructed supermarket.
7. The supermarket building has a low, monopitch roof profile with projecting eaves canopy. A colourful, square logo advertisement is displayed on both public facing elevations and are positioned as such that they appear of a similar height or higher than the highest part of the roof. On approach to the store from south, south-easterly directions, both of these signs can be seen at the same time. There are other advertisements on the building itself and around features within the car park.
8. The proposed flagpole would be roughly 6 metres at its highest point, with the advertisement on display measuring around 2 metres by 3.3 metres, including a square, internally illuminated colourful logo. Below the logo would be two rows of information about store facilities and opening times, in a dark grey colour. The flagpole would be positioned on the edge of the footway, adjoining Pinhoe Road and in close proximity to the eastern corner of the building.
9. Due to the building's close proximity to Pinhoe Road and the existing prominent advertisements of an almost identical nature on its principal elevations, the flagpole advertisement would add unnecessary visual clutter and largely replicate advertisements which can already be seen by the public from similar positions. The area may have a mixed, urban character, but its quality is not undermined by unnecessary visual clutter from advertisements; those which appear are relatively logical, subtle and reasonable in number. Though its replication of the logo which already features so prominently twice on the building and in close proximity of the proposed flagpole, the proposed advertisement would have a cluttering, intrusive effect and would thus detract from the quality and coherence of the streetscene.
10. I have considered the range of cases¹ put to me on behalf of the Appellant for similar proposals. I do accept that such supermarkets often come with a package of advertisements that customers have come to expect and that they can often be introduced into urban contexts without harm. However, the area around the appeal site is relatively small-scale and the supermarket has a direct street-level relationship with Pinhoe Road. Were it set further away from the street or higher up from it, it may need further advertisements to attract customer attention. However, its presence is unavoidable, the existing adverts are glaringly obvious and other than the store opening times, there is little that could be gained by adding the proposed flagpole in any event.
11. I have also considered the nearby supermarket which has an elevated double pole sign of a similar height visible from Pinhoe Road. Whilst it is in an identical context to the proposal before me, there are some differences to consider. That particular building is set higher and further away from the road. It also has more discrete adverts mounted on the building itself, and collectively, the

¹ Lidl Foodstore, Treyew Road, Truro, Cornwall, TR1 2TH; Lidl Foodstore, Burnthouse Lane, Wonford, Exeter, EX2 6NF and APP/X1735/Z/18/3209843, Hayling Island

adverts do not appear out of scale or unnecessary. However, the appeal proposal would cumulatively add to the presence of adverts in the streetscene and given the closer relationship of the appeal site with the street and its greater prominence, I do not consider it could do so without unnecessary visual clutter.

12. Therefore on balance, the proposal would harm the amenity of the area, contrary to Objective 9 and Policy CP17 of the Exeter Local Development Plan Core Strategy and Policies DG1 and DG8 of the Exeter Local Plan First Review. These Policies seek to ensure that the amount, siting, size, height and luminosity of advertisements do not result in uncharacteristic and unnecessarily excessive and intrusive additions to the street scene. For similar reasons, the proposal would also run counter to the aims of the Framework in respect of advertisements and visual amenity.

Conclusion

13. For the reasons given above, I conclude that part of the appeal that relates to the flagpole advertisement is dismissed. That part of the appeal that relates to the other advertisements is allowed.

Hollie Nicholls

INSPECTOR