



Appeal Decision

Site visit made on 25 September 2023

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2023

Appeal Ref: APP/Z1510/H/23/3317012

Lidl, Bridge Street, Witham, Essex CM8 1ZG

- 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 Douglas Henderson of Lidl GB against the decision of Braintree District Council.
 - The application Ref 22/02593/ADV, dated 21 September 2022, was refused by notice dated 5 December 2022.
 - The advertisement proposed is a Lidl Flagpole, detailing opening hours and facilities available inside the store.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form states that the sign would be internally illuminated, and this is confirmed within the Delegated Report. However, the appellant's statement suggests that the sign would be illuminated with external lighting. As the proposal sought consent for an internally illuminated sign, I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the signage on the visual amenity of the area.

Reasons

4. The appeal site is situated along Bridge Street and is located within the Witham Town Centre Conservation Area (CA). Although interspersed with modern buildings, the CA derives its significance from the historic linear development along Bridge Street leading into Newland Street. Historic buildings, including timber framed buildings and Victorian development, including terraced dwellings and the bridge over the River Brain create an attractive approach into the town centre.
5. The signage has already been erected at the access to the site within an open area adjacent to the path beside the river. Several other signs are present adjacent to the access, however these are lower and smaller than the advertisement in question. Other signage in the locality is more traditional comprising timber fascias and hanging public house signs.
6. The sign is tall and with a large surface area. Consequently, it is incongruous, unduly prominent and visually intrusive in the street scene. Such signage is scarce in the locality and its position within an open area results in a

disproportionate and detrimental effect on the locality. In addition, the material used is inappropriate within the CA where traditional materials are prevalent.

7. The sign causes harm to the visual appearance of the area. I therefore conclude that the advertisement has a harmful effect on amenity and fail to preserve or enhance the character or appearance of the Witham Town Centre Conservation Area.
8. I have taken into account policies LPP47, LPP52, LPP53, LPP55 and LPP57 of the Local Plan Section 2 (2022), which seek to protect amenity and so are material in this case. Given I have concluded that the sign would harm amenity, the proposal conflicts with these policies.

Other Matters

9. The appellant has referred me to similar signs erected at Tesco and Aldi. Whilst these are similar to the sign in question, I note that neither the Tesco sign nor the Aldi sign are within the CA and I therefore consider that the circumstances are not directly comparable to the sign at the site.
10. I have taken into account the concerns set out within the appeal statement about the sign being necessary to attract customers. However, the circumstances set out within the evidence before me are not sufficient to outweigh the harm I have identified.

Conclusion

11. For the reasons given above I conclude that the display of the sign would be detrimental to the interests of amenity. Accordingly, the appeal is dismissed.

J Pearce

INSPECTOR