



Appeal Decision

Site visit made on 7 November 2023

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal Ref: APP/B3030/Z/23/3321973

B&Q, Maltings Retail Park, Newark NG24 1GJ

- 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 Mark Amis, B&Q against the decision of Newark & Sherwood District Council.
 - Three individual displays forming part of the application Ref 23/00195/ADV, dated 1 February 2023, were refused by a split decision dated 25 April 2023.
 - The advertisements proposed are: Item A – 1 off internally illuminated 'B&Q and Entrance' sign to fascia, Item B – 1 off internally illuminated 'B&Q' sign to fascia & Item G – 1 off internally illuminated 'Garden Centre' sign to fascia.
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Decision

1. The appeal is allowed and express consent is granted for the display of Item A – 1 off internally illuminated 'B&Q and Entrance' sign to fascia, Item B – 1 off internally illuminated 'B&Q' sign to fascia & Item G – 1 off internally illuminated 'Garden Centre' sign to fascia at B&Q, Maltings Retail Park, Newark NG24 1GJ, in accordance with the terms of the application, Ref 23/00195/ADV, dated 1 February 2023, subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - a) This consent shall expire at the end of a period of 5 years from the date of this consent.
 - b) The advertisements hereby permitted shall not be displayed except in complete accordance with the following approved plans:
 - Site Plan Rev H received 25th April 2023
 - Proposed Building Signage Rev I received 5th April 2023
 - c) The advertisements hereby permitted shall be constructed entirely of the materials submitted as part of the advertisement consent application.
 - d) The advertisements hereby permitted shall only be illuminated during the opening hours of the premises to which they relate.

Main Issue

2. The main issue is the effect of the advertisement displays and their illumination on the visual amenity of the area, including the effect on the character and appearance of the Newark Conservation Area (the CA) and the significance of nearby listed buildings.

Reasons

3. The appeal relates to three advertisement displays which have already been erected on the recently built B & Q retail warehouse on the Maltings Retail Park on the western side of North Gate. These form part of a series of displays, the remainder of which were permitted in a split decision.
4. The three displays in question are the largest on the retail warehouse. Two of these, the 'B&Q and Entrance' sign above the main door, about 7.9 m wide and 1.7 m high, and 'Garden Centre' to its left, about 7.7 m wide and 1.8 m high, are located on the front elevation of the building facing across an area of car parking towards North Gate. The third sign, 'B&Q', about 3 m square, is on the return wall facing towards the M & S Food store on the northern side of the retail park. All the signs involve white lettering, illuminated at night, on a non-illuminated orange background¹, the corporate colour of the company.
5. The Maltings Retail Park lies within the Newark CA which incorporates a large part of the town including either side of the River Trent heading north. The retail park also lies just to the south and within the setting of the Grade II listed Northgate Brewery and Maltings, two large scale brick built Victorian buildings. There is also a row of attractive but unlisted Almshouses facing onto North Gate between the brewery buildings and the retail park. These buildings now have a contemporary, commercial setting with two out of town retail parks on either side comprising large scale shed buildings with large fascia signs in bright colours that are illuminated at night.
6. The three advertisement signs on the B&Q store, already erected, are entirely consistent with the commercial character of the area. Whilst large, they are not out of scale given the size of the building, and being set well back behind car parking are not overly intrusive when seen from North Gate. Indeed, from the road they are seen behind the Esso petrol station with its brightly coloured and illuminated canopy, pole sign and Londis fascia signs. Within the retail park they are of a similar scale to the large fascia sign on the Majestic wine store and three 'M&S Food' signs, albeit the latter comprise simple black letters on a white background. There are also smaller but brightly coloured and illuminated signs advertising the Greggs and Costa outlets.
7. Whilst the large scale signs have a highly noticeable, brightly coloured orange background, these are not unexpected in an out of town retail location and not overly garish when seen during the daytime. When night falls, only the lettering is illuminated, giving the store a relatively discreet appearance alongside the large white illuminated 'M&S Food' fascia signs and numerous other illuminated signs in the vicinity.

Conclusion

8. For these reasons, the three advertisement displays and their illumination do not adversely affect the visual amenity of the area, both preserving the character and appearance of the Newark CA and the significance of the nearby listed Northgate Brewery and Maltings buildings. The displays also comply with Policies 9 and 14 of the Newark & Sherwood Core Strategy 2019, Policies DM5 and DM9 of the Allocations and Development Management DPD 2013 and the Shopfronts and Advertisements Design Guide SPD 2014. These require a high

¹ Application as amended on 5 April 2023.

standard of design, seek to protect the historic environment and control advertisements in relation to the appearance of the building concerned and the visual amenity of the surrounding area. The displays comply with the legislative duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA and the setting of the nearby listed buildings.

9. In addition to the standard five year consent period and the five standard conditions in the Regulations the Council has suggested three conditions which are accepted by the appellant. It is necessary to define the approved plans in the interests of certainty, to control the materials to be used to ensure a satisfactory appearance in the CA and to restrict illumination to the hours of opening in the interests of visual and residential amenity.
10. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR