



Appeal Decision

Site visit made on 23 January 2024

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.02.2024

Appeal Ref: APP/M2515/Z/23/3330724

Valentine Retail Park, Valentine Road, Lincoln, Lincolnshire LN6 7BH

- 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 Motor Fuel Group against the decision of City of Lincoln Council.
 - The application Ref: 2023/0199/ADV, dated 22 March 2023, was refused by notice dated 25 August 2023.
 - The advertisement proposed is a 3m totem pole sign.
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Decision

1. The appeal is allowed, and express consent is granted for the installation of a 3m totem pole sign at Valentine Retail Park, Valentine Road, Lincoln, Lincolnshire LN6 7BH in accordance with the terms of the application, Ref: 2023/0199/ADV, dated 22 March 2023. 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 Matter

2. In accordance with the National Planning Policy Framework (the Framework), the Regulations and the Planning Practice Guidance, my consideration of this appeal is confined to amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issue

3. The Council have raised no issues regarding the proposal's effect on public safety, and I have no reason to reach a different view. Therefore, the main issue relevant to this appeal is the effect of the proposed advertisement upon the visual amenity of the surrounding area.

Reasons

4. The appeal site consists of an open area on a retail park's periphery, with a small number of free-standing totem signs in the wider area. In addition, the buildings on the retail park include advertisements of various scales and styles. The retail park is accessed from Valentine Road. Between Valentine Road and the nearby Tritton Road is a landscaped area that features a some small clusters of trees. The wider area includes several commercial properties, which incorporate various advertisements. The proposed free-standing sign would be located near to an entrance to the retail park. This means that it would be near to an existing totem sign, located on the opposite side of the access.

5. The proposed advertisement would have relatively limited proportions compared to other signs nearby and owing to its width, it would not dominate the space to the front of the retail park. This means that the predominantly open area surrounding the appeal site would be retained.
6. The appeal scheme would appear physically separate from the existing totem sign owing to the road layout at the retail park. In addition, it would be less prominent due to it having a lower height than some of the existing advertisements. These factors mean the signage would not be unduly dominant. In consequence, the appeal scheme would not result in a proliferation of signage or create harmful visual clutter, even though there would be an increase in the number of advertisements.
7. In addition, the landscaping between Valentine Road and Tritton Road means there would be some screening of the proposal from the wider area. Thus, the proposed advertisement would only be highly visible in localised vantage points where the retail park would provide the main context. These factors, when combined, ensure that the visual amenity of the surrounding area would not be harmed.
8. The Council has described recent decisions which have reduced the number of advertisements at the retail park. However, owing to the relatively small number of signs near to the precise location of the proposed advertisement, combined with the proposal's proportions, the appeal scheme would not be a strident addition or result in a cumulatively harmful impact. As such, previous decisions do not indicate this specific proposal should be rejected.
9. The proposed signage would therefore be in accordance with the requirements of Policy NS55 of the Central Lincolnshire Local Plan (2023). Amongst other matters, this seeks to ensure that new advertisements do not result in a cluttered street scene, excessive signage, or a proliferation of signs.
10. I therefore conclude that the proposed development would not have an adverse effect upon the visual amenity of the surrounding area. The proposal, therefore, accords with the requirements of the Framework.

Other Matters

11. The assessment of future proposals would be undertaken on a bespoke basis in respect of the individual effects on amenity and public safety. Therefore, the outcome of this appeal would not bind decision makers when considering proposals elsewhere.

Conditions

12. The Regulations impose five standard conditions on the grant of advertisement consent. The circumstances of the appeal proposal and site are such that no further additional conditions are required.

Conclusion

13. For the preceding reasons, I conclude that the appeal should be allowed, subject to the specified conditions.

Benjamin Clarke
INSPECTOR