

PLANNING APPEAL DECISION

Lead Officer – Tony Pomfret, Development Control Manager.

To inform Members of a recent appeal decision on site at Lidl UK, Bridges Retail Park, Whitehaven.

Recommendation: That the decision be noted in the context of the Council's local plan policies and also in relation to performance monitoring.

Resource Implications: None

1.0 SUPPORTING INFORMATION

1.1 Advertisement consent for the erection of one non-illuminated advertisement hoarding sign near to Lidl, Bridges Retail Park, Whitehaven was refused on 7 April 2011 for the following reason:-

“The sign as proposed is not considered necessary to advertise the adjacent business premises and, as such, constitutes unnecessary commercialism which would be detrimental to the visual amenities of the area at variance with the guidance set out in Planning Policy Guidance (PPG) 19 “Outdoor Advertisement Control.”

1.2. A subsequent appeal against this decision has been ALLOWED as the inspectorate considered that the display of the proposed hoarding would not be detrimental to the interests of amenity.

1.3 The Inspector noted that the retail park forms a distinct modern commercial enclave. Although close to the town centre, the Conservation Area and Whitehaven Castle, he considered the retail park to read as separate and largely self contained. Furthermore, while the hoarding would be visible from outside the retail park it would principally address the car park and would be seen in the context of a modern, commercial retail park.

1.4 A copy of the Inspectors decision letter is attached.

Contact Officer: Simon Blacker – Planning Officer

Background Papers: Planning application file 4/11/2094/0A1



Appeal Decision

Site visit made on 16 August 2011

by **Mr A Thickett BA(Hons) BTP MRTPI DipRSA**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 August 2011

Appeal Ref: APP/Z0923/H/11/2154076

Lidl, Bridges Retail Park, Whitehaven, Cumbria, CA28 7RQ

- 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 UK GmbH against the decision of Copeland Borough Council.
 - The application Ref 4/11/2094/0A1, dated 2 March 2011, was refused by notice dated 7 April 2011.
 - The advertisement proposed is a hoarding.
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Decision

1. The appeal is allowed and consent is granted for the display of the hoarding as applied for. The consent is for 5 years from the date of this decision and is subject to the five standard conditions set out in the Regulations.

Main Issue

2. The main issue is the impact of the proposed hoarding on the character and appearance of the area.

Reasons

3. The Council allege, in its reason for refusal, that the sign is not considered to be necessary to advertise the appellant's business. Planning Policy Guidance Note 19, Outdoor Advertisement Control (PPG19) advises that, other than in Areas of Special Control (which this is not) '*anyone proposing to display an advertisement 'needs' that advertisement in that location, whether for commercial or other reasons*'. I note that the Council does not pursue an argument of need in its defence of this appeal.
4. The proposed non illuminated hoarding would be 6m wide with an overall height (with supports) of 3.5m. The hoarding would be sited immediately adjacent to the 4m high stone wall which encloses the southern side of the retail park.
5. The Council invite me to look beyond the retail park and its immediate surroundings and to consider the town centre and the traditional character of Whitehaven in general. However, from my observations, the retail park, the McDonalds fronting Flatt Walks and the Morrisons filling station and supermarket, form a distinct, modern commercial enclave. Although close to the town centre, the Conservation Area and Whitehaven Castle, in my view, the retail park reads as separate and largely self contained.
6. The proposed hoarding would be hidden from views from the south by the wall. The hoarding would be visible from outside the retail park but it would

principally address the car park and would be seen in the context of a modern, commercial retail park. The large car park separates the signage at the entrance of the retail park from the signs above the shops and, given its size, I do not consider that the retail park would appear cluttered. I consider that the proposed hoarding would be entirely in keeping with its surroundings and that it would not have an adverse impact on the character and appearance of the area.

Conclusions

7. For the reasons given above and having regard to all matters raised, I conclude that the display of the proposed hoarding would not be detrimental to the interests of amenity.

Anthony Thickett

Inspector