
Appeal Decision

Site visit made on 23 February 2021 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2021

Appeal Ref: APP/P5870/Z/20/3262860

Land adjacent to Lidl Foodstore, 190 London Road, Hackbridge, Sutton SM6 7BJ

- 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 Henry Neel (Lidl GB Limited) against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2020/01120, dated 24 July 2020, was refused by notice dated 18 September 2020.
 - The advertisement proposed is the erection of 1no. internally-illuminated flagpole sign.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue for the appeal is the effect of the proposal on visual amenity.

Reasons for the Recommendation

4. The appeal site is an area of land on the corner of London Road and Spinning Wheel Way between the public footway and a residential block of flats, Chambray House, in which the retail unit Lidl Foodstore is located on the ground floor. The area where the flagpole sign would be located is currently paved with various items of street furniture in close proximity, such as timber planters, benches, dustbins, a lamp post and traffic lights. There is also a temporary sign, advertising the retail unit, facing London Road along with branded signage on the building itself. The existing advertisements on the building were granted planning permission¹ in September 2019, however the proposal is different from the approved advertisements as the flagpole sign would be detached from the building and illuminated.
5. The height of the flagpole, at around 6 metres, and the size of the lightbox and panelling would be significant in scale. Along with its prominent location on a

¹ Ref No. DM2019/00935

busy highway, the proposal would therefore be highly visible within the streetscene and surrounding area. The flagpole design of the advertisement is not commonplace within the surrounding, largely residential, area. Although the area is characterised by a number of much taller buildings, the incongruous nature of the proposal, including its internal illumination, size and positioning, would make it an overly prominent feature within the streetscene.

6. Furthermore, the positioning of the proposed flagpole on a relatively small piece of land which is already occupied by a number of other items of street furniture and other advertisements for the same retail unit in close proximity to the proposal, would result in the cluttering of the streetscene to the detriment of the visual amenity of the area.
7. The plans show the proposed sign would be lower than the balconies and windows of the residential properties within Chambray House. Moreover, the Planning Practice Guidance advises that impact upon outlook is not a determinative matter in the context of the control of advertisements. Nonetheless, the proposal would still be visible to the occupiers of the surrounding flats and would be harmful to the visual amenity of their neighbourhood.
8. The appellant's comments, that the proposed sign is intended to make prospective customers aware of the store and enhance the deliverable benefits to the community, are noted. However, the presence of the store is currently well advertised through existing signage on the building itself and therefore its contribution to the viability of the area is already established. Similarly, although such a feature may be typical in other locations, each advertisement must be considered within its own individual setting.
9. Therefore, the proposed flagpole sign would be an incongruous and prominent addition to the streetscene and I conclude that this advertisement would unacceptably harm the visual amenity of the area.
10. The Council has cited conflict with Policy 28 of the Sutton Local Plan (2018), Policy H&BEP1 of the Hackbridge and Beddington Corner Neighbourhood Plan (2018) and the Supplementary Planning Document (SPD) 'Creating Locally Distinctive Places' (2008). These policies and the SPD seek to ensure that advertisements respect the character and amenity of the surrounding area, improve the public realm and reduce unnecessary street clutter, and therefore I have taken account of these. As I have concluded that the proposed advertisement would harm amenity, it therefore would not accord with these policies or the SPD.
11. Policy 29 of the Sutton Local Plan (2018) has also been cited by the Council. However, this is not specifically relevant to the control of advertisements and therefore I have not taken account of this policy.

Conclusions and Recommendation

12. For the above reasons and having considered all matters raised, I conclude that the appeal should be dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR