

# Appeal Decision

Site visit made on 24 April 2017

**by G J Fort BA PGDip LLM MCD MRTPI**

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

**Decision date: 04 May 2017**

**Appeal Ref: APP/J2373/Z/17/3168899**

**80 Red Bank Road, Blackpool FY2 9HH**

- 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 Sainsbury's Supermarkets Ltd against the decision of Blackpool Borough Council.
- The application Ref 16/0730, dated 27 October 2016, was refused by notice dated 12 December 2016.
- The advertisements proposed are 1x new aluminium fascia and 1x new aluminium panel sign.

## Decision

1. The appeal is allowed and express consent is granted for the display of 1x new aluminium fascia and 1x new aluminium panel sign as applied for. 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 Matters

2. This appeal follows the Council's split decision on an application for express consent for a range of advertisements at the premises. Express consent was granted for all the signs except for two – as listed in the banner heading above – and I have only considered those signs in this decision. Accordingly, the proposed signs that are the subject of this appeal are the new aluminium panel annotated as 'Sign D'<sup>1</sup>, and the aluminium fascia annotated as 'Sign E'<sup>2</sup>. I have used the terms 'Sign D' and 'Sign E' to refer to the proposed advertisements throughout this decision letter.
3. At my site visit, I saw that there were signs of similar designs and proportions in the positions indicated on the relevant plans. However, these signs included additional text which indicated that they were of a temporary nature. Due to this, I assessed those signs as merely indicative of the placement and proportions of the signs as applied for.

## Main Issues

4. I note that the Council raises no objection to the proposed signs in terms of public safety. Thus it follows that the main issues in this appeal are the effects

<sup>1</sup> On drawing 'Job no 121098/A3'

<sup>2</sup> On drawing 'Job no 121098/A4'

of the proposed signs on amenity, in terms of their effects on the character and appearance of the host building and its surroundings.

## Reasons

5. Set in a broadly commercial area, the appeal building is a supermarket of substantial size. To Red Bank Road the building presents a tall and largely blank brick wall, the starkness of which is relieved to some extent by the regularly spaced columns along its length, and a horizontal brick band, of a similar depth to these columns atop the wall whereon is fixed, close to the corner with Oldfield Avenue, the orange raised lettering of the Sainsbury's sign. One of the entrances to the appeal property is accessed directly from the car park, and has a glazed entrance porch fringed by corporate and other signs. Backs of houses and the boundary of the adjacent bowling green surround the car-park to a large extent.
6. Sign D would be placed under the Sainsbury's lettering on the Red Bank Road elevation of its host building, atop and astride one of the columnar brick forms that punctuate the wall. It would be a white oblong with green lettering and logo, which would be picked out with LEDs. Sign E would be placed at the corner of the brick wall of the entrance facing the car-park. It would have an overall height, according to the drawings of around 2.5m and a width of just over a metre, again in white with green lettering and logo, but without illumination. Sign E would mirror an identical panel on the other corner of this elevation of the building.
7. In the context of the large scale and presence of the brick wall to which it would be affixed, Sign D would be of a very limited scale, and not appear as a dominant element. Whilst I note that Sign D would not be at fascia level, due to its limited scale its siting, whilst straddling the top of one of the brick columns would not interrupt the rhythm of this element of the building, or interfere unduly with the wall's architectural composition. Moreover, as the Red Bank Road elevation of the building is amongst others of a strongly commercial character with a variety of signs employed, Sign D would not look incongruous in terms of the wider streetscene. Sign D's discreet scale, sensitive placement in the context of both the wall and the existing more dominant Sainsbury's sign, and the general blankness and relative lack of signage along this elevation mean that the proposed advertisement would not impart a cluttered appearance. These considerations, taken together lead me to the view that Sign D would thus avoid harm the character and appearance of the host building and its surroundings.
8. I saw that the elevation to which Sign E would be affixed already has a plethora of signs both on it and in front of it. Within this context Sign E would undoubtedly add to the rather cluttered appearance of this elevation. However, it would do so in the context of the car-park for the store which is an area with a great deal of signs of varying types. Furthermore, I saw that signs were affixed to the boundary of the bowling green that abuts the car park. I saw also that public views of Sign E would be restricted, in the main, to people using and approaching the store from the car-park. Moreover, the photo of the existing elevation<sup>3</sup> shows pre-existing signage, although of a smaller scale in a similar location to that proposed for Sign E. Taking these matters together, I consider that Sign E, whilst increasing clutter to a limited extent on the

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<sup>3</sup> On Plan 'Job no 121098/A3'

elevation to which it would be affixed, would not do so to a degree that would cause significant harm to the character and appearance of its host building or surroundings. As a consequence, I consider that Sign E would avoid harm to the amenity of the area. Whilst I note that the Council questions the necessity of Sign E, this matter does not alter my conclusions in respect to the lack of harm it would cause in amenity terms.

9. The proposed advertisements would thus cause no significant harm to amenity, in terms of their effects on the character and appearance of the host building and its surroundings. As a consequence they would not conflict with Policies LQ1 and LQ3 of the Blackpool Local Plan (adopted June 2006); or Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (adopted January 2016); or the National Planning Policy Framework insofar as they are relevant to amenity considerations regarding advertisements. Taken together, and amongst other things, these policies seek to ensure that advertisements avoid unacceptable effects by reason of visual intrusion and do not detract from the appearance of buildings or the wider streetscene.

### **Conclusion**

10. No additional conditions, over and above the five standard ones set out in the Regulations, have been suggested by the Council.
11. Thus for the reasons given above, and having regard to all other matters raised, I conclude that the display of the advertisements would not be detrimental to the interests of amenity and public safety, and accordingly the appeal should succeed.

*G J Fort*

INSPECTOR