



Appeal Decision

Site visit made on 22 November 2011

by **Graham M Garnham BA BPhil MRTPI**

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

Decision date: 29 November 2011

Appeal Ref: APP/N1350/H/11/2160720

Lidl, Yarm Road, Darlington, DL1 1BA

- 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 Chris Blyth of Lidl UK GmbH against the decision of Darlington Borough Council.
 - The application Ref 11/00356/ADV, dated 27 May 2011, was refused by notice dated 8 August 2011.
 - The advertisement proposed is 48 sheet advertising board, wall mounted advertising Lidl products available in store.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider that this is the effect of the proposal on the appearance of the area.

Reasons

3. Yarm Road is a busy radial route connecting the centre of Darlington to the A67 route to Yarm and the A19. The appeal site is part of the Yarm Road Local Centre, which serves the mainly residential suburbs either side and around it. The Lidl store occupies a central position. It is set back behind the line of a parade of small shop units to the east, but sits forward of the Aldi and Iceland stores to the west. About half the west face of the Lidl store is exposed to view. The advertising board would be fixed to one of the side panels in this wall.
4. The 3 modern stores, while individually different, are of similar scale, appearance and character. They are of simple rectangular form with a front gable end facing towards the road. The apex of each gable contains the company's name/logo. Other advertising is restrained, being largely restricted to freestanding signs near the highway, bearing mainly the company name/logo. Signage on the parade of shops is largely confined to the somewhat discrete fascia boards. That on the public house opposite is also modest and in keeping with the function and size of the building.
5. I observed one existing large wall mounted advertising board in the Centre. This was on the east side wall of the Lidl store. It is near the store entrance, and faces a car park behind the parade and towards residential properties beyond. However, it is hidden from view on the main road.

6. In contrast, the proposed board on the western wall would be very clearly visible from Yarm Road, over the intervening car park. It would be of a distinctly different scale and type from the present signage, which has a common form and function on all 3 stores. The car park in front of the board actually serves the Aldi and Iceland stores, and the board would appear to be closer to the entrance to the former than to the Lidl store. The part of the Lidl side wall exposed to view contains 5 panels. The panel nearest the front contains what appears to be a ventilation outlet; the next panel has another outlet and a personnel door; and the 5th panel back has air conditioning equipment mounted on it. The wall is already quite cluttered in appearance, albeit not with advertising. I consider that placing a large board that would occupy most of the 3rd panel back from the front would add noticeably to the clutter on this wall. It would also be significantly out of scale and keeping with the other signs, both on the stores and freestanding, as seen from the car parks and the road.
7. There is residential property on the far side of Yarm Road from the appeal site. The nearest houses would have only a very oblique view of the side wall of the store, so that their outlook would not be affected. Views from other houses to the west would either be indirect; be obscured by planting in front gardens; or see the intervening freestanding signs as being more prominent in the line of sight. However, I consider that the lack of harm with respect to residential amenity would not outweigh the intrusive appearance of the proposal in the wider street scene and from the adjoining car park.
8. I have taken into consideration the advice in Planning Policy Guidance 19, *Outdoor Advertisement Control*, the Annex of which has replaced by Appendix E of Circular 03/2007, *Town and Country Planning (Control of Advertisements) (England) Regulations 2007*. I recognise that the board would fit neatly into the side panel of the store. Despite this, I consider that in relation to its immediate and nearby environs, it would appear intrusive and out of character.
9. I conclude that the proposal would have an unduly adverse effect on the appearance of the area, and detract materially from its visual amenity.
10. Whilst it is not in itself a determining factor in my consideration of the merits of the proposal, I have taken into account policy E39 in the Darlington Local Plan (1997). I consider that the proposal would not safeguard the visual amenity of the neighbourhood.
11. Taking all matters into consideration, and for the reasons given above, I conclude that the advertising board would be detrimental to the interests of amenity. I therefore dismiss the appeal.

G Garnham

INSPECTOR