

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

DATE: 6th December 2006

**REPORT OF CORPORATE DIRECTOR OF
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES**

06/3158/ADV

**Beck Valley Service Station, Bypass Road, Billingham
Erection of various illuminated and non-illuminated signs
Expiry date: 8th December 2006**

Summary

The application site is the Beck Valley Service Station situated on the corner of Wolviston Road and Station Road, Billingham. The application site lies adjacent to a fireplace and bathroom showroom to the north, with residential properties beyond and further residential properties to the east of the site.

A recent extension to the unit was granted consent earlier this year (06/1540/REV) and an application for the installation of 2no. ATM machines and canopy extension is currently being considered separately under application (06/3247/FUL).

Advertisement consent is sought for the erection of various illuminated and non-illuminated signs as part of the redevelopment of the site into a Tesco's Express store combined with the Esso existing filling station.

The application is put before members of the planning committee due to the number of objections received.

RECOMMENDATION:

It is recommended that planning application 06/3158/ADV is approved subject to the following conditions.

- 1. The development hereby approved shall be carried out in accordance with the following approved plan(s): unless otherwise agreed in writing with the Local Planning Authority. Drawing Number(s): - 6144/100,OTR/201 rev A, OTR 301, ET/100, ET/101a, ET/107 and 6144 080C rev B***

Reason: To define the consent.

- 2. Notwithstanding any information submitted as part of this application the intensity of illumination for the hereby approved double sided ID signs shall be not exceed 400 candelas/ sq. metre.***

Reason: In the interests of the visual amenities of the area and in the interests of highway safety.

3. ***Notwithstanding any information submitted as part of this application the intensity of illumination for the hereby approved Tesco Express Facia Sign shall be not exceed 600 candelas/ sq. metre.***

Reason: In the interests of the visual amenities of the area and in the interests of highway safety.

4. ***Notwithstanding any information submitted as part of this application the intensity of illumination for the hereby approved Esso Canopy signs shall be not exceed 600 candelas/ sq. metre.***

Reason: In the interests of the visual amenities of the area and in the interests of highway safety.

5. ***Notwithstanding the submitted information, the new signage depicted on plan no. ET/106 does not form part of the consent hereby approved.***

Reason: For the avoidance of doubt.

6. ***The hereby approved illuminated signs shall be switched off between the hours of 12am (midnight) and 6am in line with the closing time of the filling station, unless otherwise agreed in writing with the Local Planning Authority.***

Reason: In the interests of the amenity of local occupants

The decision to grant planning permission has been taken having regard to the policies and proposals in the Adopted Stockton on Tees Local Plan set out below

Adopted Stockton on Tees Local Plan policy GP1 and Planning Policy Guidance No.19: Outdoor Advertisement Control are considered relevant to this decision.

THE PROPOSAL

1. The application site is the Beck Valley Service station situated on the corner of Wolviston Road and Station Road, Billingham. The application site lies adjacent to a fireplace and bathroom showroom to the north, with residential properties beyond and further residential properties to the east of the site.
2. A recent extension to the unit was granted consent earlier this year (06/1540/REV) and an application for the installation of 2no. ATM machines and canopy extension is currently being considered separately under application (06/3247/FUL).
3. Advertisement consent is sought for the erection of various illuminated and non-illuminated signs as part of the redevelopment of the site into a Tesco's Express store combined with the existing filling station.

CONSULTATIONS

4. The following consultees were notified and any comments they made are set out below

The Head of Integrated Transport and Environmental Policy

5. I have no adverse comment to make regarding this application subject to: -
- The Double sided ID sign not exceeding a maximum luminance level of 400cd/m²
 - The Tesco Express Facia sign not exceeding a maximum luminance level of 600cd/m²
 - The ESSO Ingress Canopy and Front Canopy signs not exceeding a maximum luminance level of 600cd/m²
 - The Building Mounted Cash sign not exceeding a maximum luminance level of 800cd/m²

Local Ward Councillor – Jean O’Donnell

6. I have no objections to the proposal on the Wolviston Road side, I do however, object most heartily to illuminated signs on the Station Road side of the site.

These signs are proposed to be elevated to a height of over 20 feet and will have a deleterious effect on the street scene. If these are left on all night long - and I see no need for this - it will constitute a nuisance to the residents.

PUBLICITY

7. The application has publicised by means of individual letters of notification to neighbouring residents. The neighbour consultation period expired on the 8th November 2006. Five (5) letters of objection and 1 letter of representation have been received to the proposed development.

Objections have been raised on the following grounds:

- The replacement freestanding sign is much taller the present one and would be out of keeping with the area.
- The canopy was not previously illuminated
- Raises concerns over the cash machines and implications on residential amenity if these have 24-hour access.
- The signs will add to light pollution in the area
- The illuminated signs would be very close to residential properties.
- Raises concerns over the cash machines and implications on residential amenity if these have 24-hour access.
- Issues over increase in traffic and the suitability of the existing access.

Representations have been made on the following issues:

- Will any illuminated signs face Station Road and be turned on and off.
- What will the opening hours be?
- Will re-stocking of the shop be done during the daytime
- That the access and egress to the site be altered, as the site will generate more traffic now the shop is enlarged.

PLANNING POLICY CONSIDERATIONS

8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. In this case the relevant Development Plans are the Regional Spatial Strategy (RSS), Tees Valley Structure Plan (TVSP) and the Stockton on Tees Local Plan (STLP)
9. The following planning policies are considered to be relevant to the consideration of this application:

Adopted Stockton-on-Tees Local Plan

Policy GP1

Proposals for development will be assessed in relation to the policies of the Cleveland Structure Plan and the following criteria as appropriate:

- (i) The external appearance of the development and its relationship with the surrounding area;
- (ii) The effect on the amenities of the occupiers of nearby properties;
- (iii) The provision of satisfactory access and parking arrangements;
- (iv) The contribution of existing trees and landscape features;
- (v) The need for a high standard of landscaping;
- (vi) The desire to reduce opportunities for crime;
- (vii) The intention to make development as accessible as possible to everyone;
- (viii) The quality, character and sensitivity of existing landscapes and buildings;
- (ix) The effect upon wildlife habitats;
- (x) The effect upon the public rights of way network.

The following planning policy documents are also considered to be relevant to this decision:

Planning Policy Guidance No. 19: Outdoor Advertisement Control (PPG19)

MATERIAL PLANNING CONSIDERATIONS

10. The main planning considerations of this application are as outlined within Planning Policy Guidance No 19: Outdoor Advertisement Control are the impacts on amenity and public safety.

Amenity

11. It is considered that the overall appearance of the proposed signage is in keeping with the nature of the site and does not differ from other arrangements at petrol stations and would not have a detrimental impact on the visual amenities of the locality as a whole to justify a refusal of the application.

12. Many of the objections received have raised the issue of certain proposed signs being taller than the existing signs and have raised the issue of light pollution, particularly during the night.
13. Previous case law suggests that it is reasonable to limit the hours that illuminated signs can be switched on (*Vale Royal D.C. 25/4/91*). Given the cumulative impact of the illuminated signs and the proximity of the application site to residential properties it is considered to be necessary to limit the hours of illumination for the advertisements to that of the shops opening times (6am –12am (midnight) Monday-Sunday) in order to preserve residential amenity.
14. The 'cash' advert sign relating to the 2no. ATM machines is not suggested to be approved under this advertisement application, due to the application for the ATM machines being refused and is therefore deemed to be unnecessary.

Public Safety

15. The Head of Integrated Transport and Environmental Policy had no adverse comments to make regarding the application subject to the advertisements being restricted in their overall luminance levels. It is therefore considered that there are no significant impacts on public safety and that the application accords with PPG19 in this respect.

Residual Matters

16. Objections have also been raised in relation to the overall operation of the site, for example: opening hours, re-stocking of the shop and the access points. This application however, deals only with amenity and safety aspects of the proposed advertisements and issues relating to the operation of the site are not a material planning consideration for advertisement consents.

CONCLUSION

17. In conclusion it is considered that the proposed development will not have a detrimental impact on either amenity or highway safety and is in accordance with Planning Policy Guidance No. 19 and Policy GP1 of the adopted Stockton on Tees Local Plan and is subsequently recommended for approval.

Corporate Director of Development & Neighbourhood Services

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Financial Implications

As report.

Environmental Implications

As Report

Community Safety Implications

N/A

Human Rights Implications

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Background Papers

Planning Application Reference Nos 06/3158/ADV, 06/1540/REV and 06/3247/FUL.
Adopted Stockton-on-Tees Local Plan (June 1997)
Planning Policy Guidance Note 19: Outdoor Advertisement Control

Ward Billingham South Ward

Ward Councillors Councillor Mrs J. O' Donnell
Councillor M Smith