

DELEGATED

AGENDA NO
PLANNING COMMITTEE

21 APRIL 2010

REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

10/0533/ADV

The Forum, Town Centre, Billingham

Erection of 1 no halo illuminated fascia sign and 7 no. non-illuminated fascia signs.

Expiry Date 11 May 2010

SUMMARY

1. The application seeks advertising consent for 8 advertisement signs at The Forum in Billingham. Seven of the advertisement signs will be non-illuminated with the main 'Forum' sign being illuminated. The signs will advertise the Forum and four functions available being theatre, swim, ice and sports.
2. A separate application has been submitted for Listed Building Consent for the 'Theatre' signage which will be affixed to the Grade II listed theatre fly tower (10/0529/LBC).

RECOMMENDATION

Planning application 10/0533/ADV be Approved with Conditions subject to

- 01 *The development hereby approved shall be in accordance with the following approved plan(s); unless otherwise agreed in writing with the Local Planning Authority.*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
20-102 D	10 March 2010
20-711 D	10 March 2010
20-712 A	10 March 2010
20-713 A	10 March 2010
20-714 A	10 March 2010
90-006 REV 002	10 March 2010
91558V01	10 March 2010

Reason: To define the consent.

- 02 *The intensity of illumination of sign 1 advertising the 'Forum' shall not exceed a luminance level of 600 candellas/square metre.*

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

- 03 **Notwithstanding the submitted information details of the final proposed advertisement designs proposed should be agreed in writing with the local planning authority before installation on site.**

Reason: In the interests of the amenity of the site

INFORMATIVES

The scheme has been considered against the policies below and it is considered that the scheme accords with these policies as the development does not lead to an adverse loss of visual amenity, and does not have an adverse impact on safety or amenity and there are no other material considerations which indicate a decision should be otherwise.

Adopted Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change
Planning Policy Guidance 19 Outdoor Advertisement Control

BACKGROUND

3. The external signage is part of the £15 million refurbishment which was approved in February 2007 by the Council Cabinet. The aim is to retain and enhance the existing facilities and improve the layout and appearance of the building.
4. The existing building has only one sign on the north elevation which was manufactured in the 1960's and is only visible from the car park and The Causeway.

PROPOSAL

5. The application includes advertisement consent for the following signs which will have white text with black edging:-

North Elevation (Facing towards the Causeway)

Sign depicting the word 'Ice' which will measure 3 metres wide by 1.15 metres high with a projection of 0.1 metres and will be 5.5 metres above ground level.

Sign depicting the word 'Sports' which will measure 9.4 metres wide by 1.15 metres high with a projection of 0.1 metres and will be 8.3 metres above ground level.

West Elevation (Facing towards the pedestrian area)

Sign depicting the word 'Forum' which will measure 12.9 metres wide by 2.25 metres high with a projection of 0.15 metres and will be 6.2 metres above ground level. The sign will be illuminated.

Sign depicting the word 'Theatre' to be affixed to the grade II listed theatre fly tower. The sign will be a vertical sign and therefore the height of the sign will be 8.8 metres with the width being 1.5 metres and a projection of 0.1 metres. The sign will be 11 metres above ground level.

East Elevation (Facing towards Kingsway)

Sign depicting the word 'swim' which will measure 5.3 metres wide by 1.15 metres high with a projection of 0.1 metres. The sign will be 8.5 metres above ground level.

Sign depicting the word 'ice' which will measure 3 metres wide by 1.15 metres high with a projection of 0.1 metres. The sign will be 5.4 metres above ground level.

South Elevation (Facing towards Kingsway)

Sign depicting the word 'Theatre' to be affixed to the grade II listed theatre fly tower. The sign will be a vertical sign and therefore the height of the sign will be 8.8 metres with the width being 1.5 metres and a projection of 0.1 metres. The sign will be 11 metres above ground level.

Sign depicting the word 'swim' which will measure 5.3 metres with a height of 1.15 metres and a projection of 0.1 metres. The sign will be 6.6 metres above ground level.

CONSULTATIONS

6. The following Consultees were notified and comments received are set out below:-

Acting Head of Technical Services

General Summary

Urban Design has no objections subject to comments below.

Highways Comments

There are no objections to this application subject to sign 1 not exceeding a luminance level of 600 cd/m².

Landscape & Visual Comments

No objection.

PUBLICITY

7. Neighbours were notified by letter, an advertisement has been placed in the local newspaper and a site notice was placed outside the building and no comments have been received.

PLANNING POLICY

8. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 1(3) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

9. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;

Factors relevant to public safety include;

- (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (ii) Whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

- (iii) Whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed and unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plans is the Core Strategy Development Plan Document, Stockton on Tees Local Plan (STLP) and the Regional Spatial Strategy (RRS).

10. The following planning policies are considered to be relevant to the consideration of this application:-

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

- i) All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.
- ii) All new non-residential developments will be completed to a Building Research Establishment Environmental Assessment Method (BREEAM) of 'very good' up to 2013 and thereafter a minimum rating of 'excellent'.
- iii) The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.
- iv) To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.
- v) For all major developments, including residential developments comprising 10 or more units, and non-residential developments exceeding 1000 square metres gross floor space, at least 10% of total predicted energy requirements will be provided, on site, from renewable energy sources.
- vi) All major development proposals will be encouraged to make use of renewable and low carbon decentralised energy systems to support the sustainable development of major growth locations within the Borough.
- vii) Where suitable proposals come forward for medium to small scale renewable energy generation, which meet the criteria set out in Policy 40 of the Regional Spatial Strategy, these will be supported. Broad locations for renewable energy generation may be identified in the Regeneration Development Plan Document.
- viii) Additionally, in designing new development, proposals will:

- Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

viii) The reduction, reuse, sorting, recovery and recycling of waste will be encouraged, and details will be set out in the Joint Tees Valley Minerals and Waste Development Plan Documents.

SITE AND SURROUNDINGS

11. The Forum is located at the edge of Billingham Town Centre with The Causeway located to the north of the site and Kingsway located along the eastern boundary. A pedestrian area is located at the front of the building to the west.
12. The building is owned by Stockton Borough Council with the leisure complex being managed by Tees Active Limited and the Theatre being managed by Riverside Leisure Limited.

MATERIAL PLANNING CONSIDERATIONS

13. National planning Policy Guidance 19 Outdoor Advertisement Control, states that applications for advertisement consent should only be determined in the interests of amenity and public safety. As such the material planning considerations when assessing this application are the impact of the proposed advertisements on the amenity of the neighbouring land users, character of the surrounding area and implications for highway safety.

Visual Amenity

14. The application site is located on the edge of Billingham Town Centre with commercial and domestic properties surrounding the building. The advertisements will be in highly visible locations on the building. Only the 'Forum' sign which is facing towards the pedestrian area will be illuminated with the remainder of the signs being non-illuminated. The mixed use nature of the surrounding area means there are various illuminated and non-illuminated signs within the vicinity.
15. The size and scale of the proposed signage is considered to be appropriate in terms of the overall size of the building.

Amenity of neighbouring land users

16. The surrounding area is a mixture of residential and commercial premises. To the west of the building is Billingham town centre with commercial premises and to the south are

offices. Due to the commercial nature of the premises located to the west and south of the building the proposed signage is not considered to result in a detrimental impact upon the amenity of these neighbouring land users.

17. The closest residential properties are the block of flats located to the east of the building and the residential houses that are located to across the Causeway to the north. None of the advertisement signs which are facing the residential properties will be illuminated and there will be a minimum separation distance of 39 metres between the Forum and the residential flats. As such it is not considered that the proposal will result in a detrimental impact upon the amenity of the residential properties in the vicinity.

Highway Safety

18. The Acting Head of Technical Services raises no objections to the proposal subject to a condition being placed on the levels of illumination on the 'Forum' sign. Therefore, it is considered that the proposal for the advertisement signs will not result in an adverse impact on highway safety.

CONCLUSION

19. Overall, it is not considered that the proposal will result in a detrimental impact upon the amenity of the neighbouring land users, the visual amenity of the surrounding area or upon highway safety. The proposal is considered to be in accordance with the adopted core strategy CS3 and PPG19 and as such is considered to be acceptable.

**Corporate Director of Development and Neighbourhood Services
Contact Officer Miss Debra Moody Telephone No 01642 528714**

IMPLICATIONS

Financial Implications: None

Environmental Implications: None

Human Rights Implications:

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

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report.

Background Papers: Application 10/0533/ADV

WARD AND WARD COUNCILLORS

**Ward Billingham Central
Ward Councillor Councillor B Woodhouse**

**Ward Billingham Central
Ward Councillor Councillor Ann McCoy**