

DELEGATED

AGENDA NO  
PLANNING COMMITTEE

DATE 29 June 2011

REPORT OF CORPORATE DIRECTOR,  
DEVELOPMENT AND NEIGHBOURHOOD SERVICES

11/0913/ADV

9 Healaugh Park, Yarm, TS15 9XN

Application for erection of 1 No. non internally-illuminated fascia sign and 1 No. non-illuminated post mounted directional sign.

Expiry Date 21 June 2011

### SUMMARY

Advertisement Consent is sought for the erection two signs at the Aldi Store in Yarm, originally one sign was to be internally illuminated however both signs are now to be non illuminated.

One sign will be located on the rear of the new extension and the other located at the entrance of Healaugh Park.

There were 9 objections to the original application, including an objection from the Ward Councillor one from Yarm Residents Group, Yarm Town Council.

There has been 1 objection to the revised proposal.

The proposed development has been carefully assessed and the proposal accords with the relevant policies, and is considered to be acceptable subject to conditions.

### RECOMMENDATION

Planning application 11/0913/ADV be Approved subject to the following conditions

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>
<i>0134-AC(37)001</i>	<i>18 April 2011</i>
<i>0134-AC(37)002</i>	<i>18 April 2011</i>
<i>0134-AC(37)003</i>	<i>18 April 2011</i>
<i>Email</i>	<i>26 May 2011</i>

*Reason: To define the consent.*

02 *Notwithstanding the submitted plans the signs shall be non-illuminated in accordance with the agent's Email dated 26<sup>th</sup> May 2011.*

*Reason : To define the consent*

### INFORMATIVES

*The Proposal has been considered against the policies below and it is considered that the scheme does not have a significant adverse impact upon the existing street scene or public*

***safety and accords with these policies and there are no other material considerations which indicate a decision should be otherwise.***

***Adopted Core Strategy - Policy CS3: Sustainable Living and Climate Change  
Planning Policy Guidance Note 19: Outdoor Advertisement Control***

## **BACKGROUND**

1. Planning permission was granted on 18.08.2009 for the erection of a single storey extension to the applicant applied for advertisement consent for the erection of 2 signs, one to the front of the store and a freestanding sign to the entrance of Healaugh Park. The application was refused and an appeal dismissed (09/1435/ADV). A copy of the Appeal Decision and Plan is attached at Appendices 4 and 5.
2. Advertisement Consent was later given for the sign to the front of the store (10/0119/ADV).
3. A further application for the erection of a 5 metre high single faced post-mounted sign was submitted and refused due to its height and luminance.
4. Pre-application advice was given regarding the provision of modest freestanding sign at the entrance of Healaugh Park, with the advice being that the sign should be reduced significantly.

## **PROPOSAL**

6. Advertisement consent is sought for the erection of two signs
7. Sign One is a non illuminated free standing sign to a height of 1.5 metres. The sign will consist of the Aldi Logo and a 'P' and an arrow directing customers to the Car Park with the opening hours below. The sign will be reflective to allow drivers to see the sign in the dark and located in a grassed area to the front of the existing service yard wall.
8. Sign Two is a non illuminated box sign sited on the gable wall of the new extension. The proposed sign will be 1.480 metres high x 1.240 metres wide and comprise of the Aldi Logo.

## **SITE AND SURROUNDINGS**

- 9 The application site is the Aldi Store on Healaugh Park in Yarm. The site forms part of the neighbourhood centre at Leven Park, Yarm with this unit being the largest and 4no small retail units attached. The site is accessed from Canon Grove with the main housing estate to the north and east.
- 10 To the south of the site is the car park to serve the retail parade and to the southwest are the Golden Jubilee Public House and its associated car park. To the west is an existing nursery and Thirsk Road (A67).

## **CONSULTATIONS**

11. The following Consultees were notified and the comments received to the revised plans are set out below:-

### **Head of Technical Services**

12. Highways Comments - There are no objections to the non-illuminated signs as they do not affect visibility  
Landscape & Visual Comments - No objections.

13. Comments to the previous plans that included the internally illuminated and non-illuminated signs are set out below

#### Councillors

- 14 Councillor Sherris - Detrimental to the visual amenity of a residential area not a business park or Industrial Estate.

#### Yarm Town Council

15. Signage is too close to residential properties and the public house was refused illuminated signage for the same reason. Members feel illuminated signs should not be erected in residential areas as they have a detrimental impact on the aesthetics and characteristics of the building and on the home lives of residents

### **PUBLICITY**

#### **Revised Proposal**

16. One objection has been received to the revised application and this is summarised below;
17. Gary Sharples, 4 Canon Grove Yarm

There are no substantive changes in the revision of this application. Why should our residential road become an advert for Aldi (illuminated or otherwise)

#### **Original Proposal**

18. Neighbours were on the original plans for an internally illuminated sign and non-illuminated sign and comments received are below-
19. Yarm Residents Group, Bill Johnson 3 Valley Close Yarm  
The signs are unsuitable, unnecessary, too large & inappropriate for a residential area
- 20 John Whyte 16 Canon Grove Yarm  
I would like to register my objections as it is detrimental to the area and unnecessary.
21. Mr and Mrs Appleby, 39 Canon Grove Yarm  
We wish to object to the proposed Aldi signage, which is not suitable for the area.
22. Gary Sharples, 4 Canon Grove Yarm

Please see previous objections to the persistent attempts to spoil Canon Grove with unnecessary signage. A sign is simply not required to advertise their presence and will significantly detract from this popular residential area.

I presume that Aldi will continue in their planning permission applications in the hope that residents will get tired of objecting. Repeated applications with minor changes after refusal is simply not acceptable. The council, if it doesn't already, needs to introduce rules to prevent such repeated and spurious applications.

It is too unsightly to be situated at the edge of a residential area. This sign has already been erected without the revised planning permission. It should be replaced with a less conspicuous sign or none at all as everyone likely to use the store will know of its location.

The original sign was put up without planning permission. A reduction in the size of the sign is still not acceptable for the previously-given reasons. There is no need for a sign at all at the entrance to this area. Why should residents have an illuminated sign illuminating the entrance to their street every time they return home. What is to stop all the shops on Healaugh Park applying for similar signage to advertise their location?

I reiterate my original objections to the sign application for planning permission. A sign is unnecessary and unwelcome in this residential area. How many times do we have to state our objections to an application from Aldi with minor modifications?

23. Ken Hill 22 Canon Grove Yarm

Here we go again! By now everybody in the area knows the location of Aldi. Why erect eyesore signs

24. Michael Poulton 9 Canon Grove Yarm

The previous supermarkets did not find it necessary to advertise their location, why now?

I wish to register my objection to approval of the above application on the grounds that the proposed signage is both unnecessary and undesirable in a residential area.

The two previous supermarket operators and the adjoining newsagent, chemist, and fast food outlets have not in over ten years found it necessary to advertise their whereabouts in the area and, judging by the attendance at Aldi in recent weeks, it is obvious that the public in general do not require a sign to direct them to the premises.

I purchased my property believing this to be a residential location and I have no desire to approach my home in future as though it were a trading estate which is exactly what the proposed signage will indicate.

25. Nicholas Sutton 5 Canon Grove Yarm

I would like to express my concern over the proposed advertising signs being planned for the Aldi supermarket Healaugh Park, Yarm. I reside on Canon Grove which is directly at the rear of the Aldi store. The proposed signs are to be placed at the entrance to my road. The size of the signs appears to be far too large.

Is there any need for this supermarket to advertise in such a way and ruin the image of the area which they serve?

There are a number of shops at Healaugh Park and allowing one of them to erect huge advertising signs could set a precedence that allows others to follow suit. This could change the image and feeling of the area from residential to commercial.

I would like to register my objections to this level of advertising in this area.

26. An anonymous response was received which can be attributed little weight

I object to the proposal due to the

- Visual impact on the local area
- The sign will make the area look like an industrial park
- There is sufficient signage already available on the shop and no further advertising is required
- Impact on property valuation

## **PLANNING POLICY**

- 27 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 Plan

is the Core Strategy Development Plan Document and Stockton on Tees Local Plan (STLP). The following planning policies are considered to be relevant to the consideration of this application:-

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

1. 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.
2. 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'.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.

**29. Planning Policy Guidance Note 19: Outdoor Advertisement Control**

**MATERIAL PLANNING CONSIDERATIONS**

30. PPG19 Outdoor Advertisement Control states that applications must be considered against amenity and public safety. As such, the main issues for consideration when assessing this

application are the potential impacts upon the amenity of neighbouring land users, the impact upon the character of the surrounding area and the implications for highway safety.

### **Impact on visual amenity of neighbouring land users**

#### **Sign One – free standing sign**

- 31 The proposed free standing sign is positioned at the corner of the entrance to the shopping centre, and the main entrance to the residential estate know as Leven Park. The proposed signage stands at a maximum height of 1.5m from the ground.
- 32 The previous free standing sign was considered unacceptable due to its bulk and height coupled with its internal illumination which allowed the sign to be visible to the residential estate. The planning inspector described the sign as “substantial and prominent due to its size, bulk, height and siting” and when viewed from Thirsk Road and Healaugh Park, in the context of the housing development the sign was “dominant and disproportionate”.
- 33 The proposed 1.5metre high reflective sign will be located to the front of the service yard will and will not be visible to the wider area as the existing wall is higher than the sign. It is considered that the proposed sign is considered to be relatively modest and will provide the directions to the car park that the applicant requires without having an adverse impact on the wider area.

#### **Sign Two – Non illuminated fascia Sign**

34. The original plans showed this sign as being internally illuminated which was considered unacceptable due to its impact on neighbouring properties and the wider residential estate. The applicant agreed to remove the illumination and therefore the sign under consideration is now non-illuminated.
35. The proposed non-illuminated sign will be located on the fascia of the new extension facing into the service yard. The nearest residential property that would be able to see the sign would be 1 Canon Grove.
36. The side of the proposed sign would be visible from the rooms in 1 Canon Grove, however it is considered that due to the oblique angles and limited views afforded of the sign, this would not warrant refusal of the application. Other residential properties are located over 50 metres away and again are not facing onto this sign.
37. Taking into account the positioning of the sign in relation to the surrounding houses, it is not considered that the sign will have a detrimental impact upon the amenity of the neighbouring properties in terms of outlook and will not have an adverse impact on the wider area.

### **Impact on highway safety**

38. The Head of Technical Services has no objection to the proposed signage and therefore it is considered that the application will not result in an adverse affect upon highway safety.

### **Other Matters**

39. Devaluation of property and land ownership are not material planning considerations. This has been clearly articulated by the Courts and therefore is not considered within this report.

## **CONCLUSION**

40. Overall it is considered that the proposed signage is considered acceptable and the application has therefore been recommended for approval subject to conditions

**Corporate Director of Development and Neighbourhood Services**  
**Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062**

## **WARD AND WARD COUNCILLORS**

Ward	Yarm
Ward Councillor	Councillor A B L Sherris
Ward Councillor	Councillor Mark Chatburn
Ward Councillor	Councillor Ben Houchen

## **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: 11/0913/ADV