

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

18 JANUARY 2012

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

11/3057/ADV

2-4 Shannon Crescent, Stockton-on-Tees,

Retrospective application for installation of 1 No. internally-illuminated cash machine advert

Expiry Date 30 January 2012

SUMMARY

This application seeks retrospective permission for the installation of an internally illuminated cash machine advert at McColl's Retail Store at 2 – 4 Shannon Crescent, Stockton on Tees. Six letters of objection have been received to the application including the residents opposite the site at 1, 3 and 5 Shannon Crescent raising concerns regarding the impact of the light and the increase in traffic and noise.

The Head of Technical Services has no objection on landscape and visual or highway grounds.

It is considered that due to the scale and location of the signage there is not a significant detrimental impact on amenity or public safety.

RECOMMENDATION

That planning application 11/3057/ADV be approved subject to the following conditions below;

01 This consent relates to the following approved plans:

Plan Reference Number	Date on Plan
SBC0001	2 December 2011
SBC0002	2 December 2011
CTS0295	2 December 2011
E007906	2 December 2011

Reason: To define the consent.

INFORMATIVES

The proposal has been considered against the policies below and it is considered that the scheme accords with these policies as the development is considered to be in keeping with the street scene and does not involve any significant impact upon public safety or visual amenity and there are no other material considerations which indicate a decision should be otherwise.

PPG19 - Outdoor Advertisement Control

BACKGROUND

1. A related application (11/3056/RET) seeking retrospective permission for the installation of the ATM associated with this signage has also been submitted.

A previous application (00/0835/P) for the installation of an ATM machine and 2 no. concrete bollards was refused in 2000. The reasons for refusal were;

- a) The proposal would generate additional traffic movements within a residential area. The general increase in activity and associated noise disturbance, both pedestrian and car-borne, would be detrimental to the residential amenity that the occupiers of nearby premises would reasonably expect to enjoy.
- b) The proposed use would generate additional traffic along Antrim Avenue and Shannon Crescent in an area subject to traffic problems. Such a proposal could lead to the misuse of the one-way system operating in the area.

The advertisement consent related to the previous ATM application was deemed refused due to the signage no longer being required as the ATM application was refused.

SITE AND SURROUNDINGS

2. The application site is a newsagents located on Shannon Crescent, just off Bishopton Road West. The site is located in a residential area, to the north of the site is the highway with residential properties beyond, to the east of No.1 Doyle Way, to the south is No. 310 & No. 312 Bishopton Road West and to the west is the highway of Shannon Crescent with No.1, No.3 & No. 5 Shannon Crescent beyond.

PROPOSAL

3. This application seeks retrospective advertisement consent for the installation of 1 no. internally illuminated cash machine advert. The overall advert measures 1155 mm by 1931 mm and projects out from the building by 40 mm, the illuminated advert is a much smaller element of the sign that is located directly above the cash machine unit and measures approximately 600 mm by 150 mm. The illumination is static and the luminance level is 100 candellas/square metre.

CONSULTATIONS

4. The following Consultations were notified and any comments received are set out below:-

Head of Technical Services

General Summary

Subject to comments below Technical Services have no objection to this application.

Highways Comments

There are no highway objections to the proposed illuminated signage to the ATM subject to the luminance not exceeding a maximum of 600 cd/m².

Landscape & Visual Comments

No comments.

PUBLICITY

5. Neighbours were notified and six letters of objection were received, details of which are below:

Mr Ian Garbutt

10 Rydal Way Redmarshall

The lighting that illuminates this ATM (which was installed without a planning application being submitted and granted) is utterly hideous and totally out of keeping in a residential area. In a wholly commercial area the illumination may be deemed acceptable but as it stands and where it stands it is an ugly insult to residents, a slap in the face that adds to the light pollution that they already suffer. Yet another example of 'big business' imposing its will on people. Words do not do justice to the depth of my objection to this contraption that resembles a prop from a film such as Close Encounters of the Third Kind. Let those who own and manage McColl's have such eye sores opposite their homes. If McColl's are so desperate to have an ATM attached to their premises how about installing it and it's ridiculous lighting inside the shop and out of sight of residential homes.

Mrs Catherine Garbutt

10 Rydal Way Redmarshall

The ATM at 2-4 Shannon Crescent should never have been installed without planning permission being applied for and granted. The fact that it has been shows utter contempt for accepted practices and a lack of consideration for those who live next to and/or opposite it.

My in-laws live opposite McColl's where the ATM is installed so I am a frequent visitor to the area. The ATM is a complete eyesore and its ugliness is compounded by the illumination that not only increases the light pollution that residents suffer but adds a tawdry air that is not in keeping with a residential area. The illuminations make it more suitable for being located in seaside amusement arcade. I wish to place on record my objection to this application.

Eileen Hosker

49 Green's Lane Stockton-on-Tees

I have objected to the installation of a 24 hour cash machine and therefore object to a 24 hour illuminated sign opposite my mother's living room and front bedroom window. The lighting is commercial and garish. My mother is a longstanding resident in this residential area, in what should be a quiet row of bungalows. The additional lighting has caused her some distress, with the floodlights initially directed at her bungalow all hours.

The lighting has also caused extreme inconvenience to family members trying to sleep in the front bedroom. My mother does not want to look out onto a green fluorescent sign when she and my father purchased the bungalow in a residential area. She does not want to move at her age, but feels that the shop and now the cash machine company want to take over the crescent – on what will be a 24 hour basis. The company have tried to install the machine and flout planning regs and should be made to remove something more in keeping with the High Street or commercial area.

R Garbutt

5 Shannon Crescent Stockton-on-Tees

I wish to protest most strongly against the internally illuminated cash machine installed outside McColl's Shop in Shannon Crescent. Once again planning was not sought. I am sure a company which trades nationally would have known better than this. This light is out of keeping with the area as far as I am concerned it would look more in place on the promenade in Blackpool not in a residential area. Most cash machines on shop fronts are half the size of this one, so I feel we are having to live with McColl's rules which no one was consulted about or given a chance to protest before it got this far.

Mrs T Carrick

1 Shannon Crescent Stockton-on-Tees

First letter received:

I am 90 years old and arthritis makes it difficult to write so my daughter is writing this for me. Please accept this as my opposition to granting the application for the ATM machine and its sign and lights and in effect a change of use. I do not want to look at a cash machine from my living room window, or hear more car doors and engines. I do not want to look at green glowing signs or advertising 'free money' – it's a lie, a joke and inappropriate.

This is a residential area and the additional traffic at all times of the day and night is distressing, adding to the heavy traffic caused by the shop which I have complained about, as well as my neighbours complaining.

It is not acceptable to install a machine which can be used 24 hours a day in a crescent of bungalows intended for the retired, and throw out harsh lighting.

It is not acceptable to impose this on the residents and seek approval afterwards. I strongly object and ask for its removal to a site where car parking facilities are available and residents won't be disturbed or harassed. I do not want this machine or lighting or sign.

Second letter received:

I object to this machine which has already been put in place directly opposite my lounge window. The glowing lights of this machine are so unsightly that I have to keep my curtains drawn making me feel like a prisoner in my own home not to mention the full reflection of this machine flanked by wall lights for all passing to see.

There is also the noise of cars and slamming doors who park on the pavement in front of my property, adding to the many who park while using the shop all day long.

I am asking politely to give a little consideration to me before allowing this to go ahead.

Mrs B Pattison

3 Shannon Crescent Stockton-on-Tees

I am against the ATM illuminated cash machine; it will be 24 hr traffic, more noise and more litter

PLANNING POLICY

6. 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 saved policies of the Stockton on Tees Local Plan (STLP)

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

PPG19 – Outdoor Advertisement Control

The general approach to dealing with advertisement applications is similar to the process of dealing with planning applications. But there are two important differences from ordinary planning procedures. First, the display of outdoor advertisements can only be controlled in the interests of "*amenity*" and "*public safety*". What is meant by these two terms in the Regulations is explained in paragraphs 11 to 16 of this Guidance. Secondly, it is accepted that (with one minor exception in

Areas of Special Control, as specified in Regulation 19(2)(b) of the Regulations, where an applicant needs to show a reasonable requirement for an advertisement) anyone proposing to display an advertisement "needs" that advertisement in that particular location, whether for commercial or other reasons.

Ministerial Statement from Greg Clark

"When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date
- (v) Ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

MATERIAL PLANNING CONSIDERATIONS

8. 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'.

Visual Amenity

9. Given the commercial nature of the existing property and the existing advertisements it is considered the illuminated signage has a minimal impact on the character of the existing building or the surrounding street scene.

Amenity of neighbouring land users

10. Letters of objection have been received from No's 1, 3 and 5 Shannon Crescent, the issues raised relate to the impact of the light and the increase in traffic and noise.

11. The objections also raise concern over the recently installed floodlights. These floodlights are attached to the building and have replaced previous lights installed on the building. The Environmental Health Unit have visited the site to assess the impact of the newly installed lights and requested the beam of the lights be redirected and this has been completed.

12. The size of the illuminated aspect of the sign is considered to be of minimal scale and the majority of the sign is non-illuminated. Given the size of the illuminated sign it is considered the impact of the luminance on the residential properties will not be significant. Furthermore, given the separation distance of approximately 19.5m from the proposal to the residential properties opposite, and due to the presence of a highway in between the site and those neighbouring properties, it is considered that the advertisement does not lead to a significant adverse impact on amenity for neighbouring properties to the front. The property to the side, No. 312 Bishopton Road West has a detached garage that bounds the site and the main property is approximately 12.0m away, taking into account the location and scale of the signage it is considered there is not a detrimental impact on the amenity of this adjoining property.

13. Overall it is considered that due to the scale and location of the signage there is not a significant detrimental impact on the amenity of surrounding land users.

Public Safety

14. The Head of Technical Services has no objection to the proposal subject to the maximum luminance not exceeding 600 candellas/ square metre, the applicant has indicated the luminance to be 100 candellas/square metre and it is considered there will be no significant impact on highway or public safety.

CONCLUSION

15. Overall, it is considered that due to the appearance of the commercial building, the addition of the signage does not have a significant detrimental impact on the character of the existing building and does not form an incongruous feature within the street scene.

16. Furthermore, it is considered that due to the scale, level of illumination and location of the signage there is not a significant detrimental impact on public amenity.

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

WARD AND WARD COUNCILLORS

Ward **Fairfield**
Ward Councillor **Councillor W. Woodhead**

Ward **Fairfield**
Ward Councillor **Councillor M Perry**

IMPLICATIONS

Financial Implications: n/a

Legal Implications: n/a

Environmental 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.

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:
Planning Policy Guidance 19: Outdoor Advertisement Control