

**DELEGATED**

**AGENDA NO**

**PLANNING COMMITTEE**

**9 July 2014**

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

**14/1123/ADV**

**Sainsburys Supermarkets Ltd, Whitehouse Farm , Bishopton Road West, Stockton-On-Tees  
Erection of advertisements associated with proposed 3-pump petrol filling station to  
include 1 no. internally illuminated totem sign, 5 no. internally illuminated fascia signs and 7  
no. non-illuminated other signs**

**Expiry Date : 22 July 2014**

#### **SUMMARY**

This application seeks advertisement consent for the erection of advertisements associated with a proposed 3-pump petrol filling station (application 14/0985/FUL, which is the subject of a separate agenda item) to include 1 internally illuminated totem sign, 5 internally illuminated fascia signs and 7 non-illuminated other signs at Sainsbury's supermarket, Whitehouse Farm located off Bishopton Road West, Stockton on Tees.

The main store building is set back from Bishopton Road West (south) with a car park to the front (south) and side (east) of the main store. The store and car park is accessed from Barlborough Avenue (west). Beyond the highway of Bishopton Avenue to the east are residential properties along Bishopton Avenue and Bishopton Road (south east). Beyond Bishopton Road West to the south of the application site are properties along Bishopton Road West, playing fields and Stockton Sixth Form college (south west). The residential properties of No's 1-9 (odds) Barlborough Avenue are present to the west of the site, of which this road leads into a wider residential estate. 'Senators' public house is adjoined to the store on the north east elevation. Tree planting and soft landscaping is present along the southern boundary. An existing totem sign is present along the eastern site boundary, adjacent to Bishopton Avenue.

The Head of Technical Services has raised no objections to the application in terms of highway safety. No objections are raised by the Environmental Health Unit.

15 letters of objection have been received to date which are summarised in the main report but include the impact on the amenity of neighbouring properties, the impact on highway safety, the scheme is not suitable for a predominantly residential area and property devaluation.

The scheme is considered to accord with the general principles of the National Planning Policy Framework. The scheme as proposed is therefore not considered to have an unacceptable adverse impact on the amenity of the surrounding area or an adverse impact on highway safety.

The application is recommended for approval accordingly.

## **RECOMMENDATION**

*That advertisement consent 14/1123/ADV be Approved subject to the following conditions and informatives;*

- 01** *The development hereby approved shall be in accordance with the following approved plan(s);*

<i>Plan Reference Number</i>	<i>Date on Plan</i>
<b>4062/200 REV C</b>	<b>27 May 2014</b>

*Reason: To define the consent.*

### **Conditions to be Implemented**

- 02.** *Prior to the 1no. internally illuminated totem sign hereby approved being erected, the existing totem sign sited along the adjacent boundary to Bishopton Avenue and as indicated on plan 4062/200 REV C (dated 27th May 2014) shall be removed in its entirety.*

*Reason: In order to prevent an undue detrimental visual impact on its surroundings and to comply with Policy CS3 of the Stockton on Tees Core Strategy Development Plan.*

- 03.** *The 5no. internally illuminated fascia signs and the 1no. internally illuminated totem sign hereby approved shall be restricted to a maximum luminance level of 450cd/m2.*

*Reason; In the interests of highway safety.*

### **INFORMATIVE OF REASON FOR PLANNING APPROVAL**

*The Local Planning Authority has implemented the requirements of the National Planning Policy Framework.*

### **BACKGROUND**

1. The application site has been subject to a number of planning applications, which include the following;

S492/75; Refused application for a filling station on traffic grounds, decision dated 2nd May 1975.

S820/79; An outline application for the provision of a petrol filling station (no details provided) in the south west corner of the car park was refused on 21st May 1979.

S408/80; A second outline application for a petrol filling station was refused for the same four reasons on 12th December 1980.

90/0348/P; Extension to internal and external refurbishment and provision of new car park layout (then occupied by 'Prestos Superstore'). The application was approved on 3rd December 1990 subject to a number of conditions including a restriction on hours of delivery to 'there shall be no deliveries to the premises between the hours of 10 p.m and 7 a.m. on any day following the occupation of the extension to the store as hereby approved'.

97/0830/P; External Alterations, approved 18th June 1997 (then occupied by Safeway)

97/1333/P; Erection of covered trolley bay area, approved 3rd September 1997

00/1826/P; Retrospective application for roof mounted plant, approved January 2001

00/1827/P; Erection of a temporary storage container and 3m screen fence, approved 10th January 2001

04/3876/FUL; Retrospective application for the erection of a safety guard rail on roof of store, approved 22nd March 2005 (applicant Sainsbury's)

05/1372/FUL; Erection of 2 no. acoustic screen fences 1.8m high above flat roof level around existing plant on store roof, approved 23rd June 2005

14/0985/FUL; An associated planning application has been submitted for the erection of a 3-pump petrol filling station, associated kiosk and plant room and alterations to car park layout and landscaping. The application is pending consideration.

Related Advertisement Consent applications:

93/0072/P ERECTION OF AN ILLUMINATED BOX SIGN, approved 19th March 1993

97/1185/P ERECTION OF 2NO. INTERNALLY ILLUMINATED FREE STANDING SIGN, approved 5th September 1997

97/2179/P RETROSPECTIVE APPLICATION FOR 1NO. ILLUMINATED PHARMACY SIGN AND NON-ILLUMINATED WALL MOUNTED SIGNS, approved 10th February 1998

04/1531/ADV Variety of free standing and wall mounted illuminated and non-illuminated signs, approved 12th July 2004

05/0465/ADV Retrospective application for the erection of 5no. non-illuminated external advertising spokes, approved 25th April 2005.

**SITE AND SURROUNDINGS**

2. The application site relates to Sainsbury's supermarket, Whitehouse Farm located off Bishopton Road West, Stockton on Tees. The main store building, which has been extended and altered through various permissions, is set back from Bishopton Road West (south) with a car park to the front (south) and side (east) of the main store. The building features several internally illuminated signs with a free standing totem pole sign along the eastern boundary to the site, which formed part of approval 04/1531/ADV.
3. Beyond the highway of Bishopton Avenue to the east are residential properties along Bishopton Avenue and Bishopton Road (south east). Beyond Bishopton Road West to the south of the application site are No's 1 and 3 Bishopton Road West, playing fields and Stockton Sixth form college (south west). The store and car park is accessed from Barlborough Avenue (west). The residential properties of No's 1-9 (odds) Barlborough Avenue are present to the west of the site, of which this road leads into a wider residential estate. 'Senators' public house is adjoined to the store on the north east elevation. Tree planting and soft landscaping is present along the southern boundary.

## **PROPOSAL**

4. This application seeks advertisement consent for the erection of advertisements associated with a proposed 3-pump petrol filling station (application 14/0985/FUL, which is the subject of a separate agenda item) to include 1 internally illuminated totem sign, 5 internally illuminated fascia signs and 7 non-illuminated other signs.
5. The internally illuminated totem sign would be sited along the south east perimeter of the site, adjacent to Bishopton Avenue and approximately 16m to the east of the proposed filling station. The sign would measure a maximum height of 5m x 1.88m in width x 0.1m in depth and would be primarily finished in Sainsbury's corporate colours (orange) with silver support posts. The sign would include details of petrol prices and store opening hours. The sign would be constructed from acrylic panels and internally illuminated (static) with maximum luminance levels of 450cd/m<sup>2</sup>. The existing totem sign approved in 2004 and sited approximately 45m to the north of the proposed totem sign is to be removed.
6. 4 of the 5 internally illuminated fascia signs would be affixed to the top of the proposed canopy (which extends over the petrol filling station). These individual letter fascia signs detail 'Sainsbury's' and would measure approximately 5.4m in length (approx. 5.4m above ground level) x 0.85m in height x 0.12m in depth. The fifth internally illuminated fascia sign would be sited on the front of the proposed kiosk building and would measure approximately 3m x 0.45m in height x 0.12m in depth. The signs are to be finished in an orange colour and would be internally illuminated (static) with maximum luminance levels of 450cd/m<sup>2</sup>.
7. Other signs relate to 3.45m high flag pole signs to be sited under the petrol filling station canopy. An approximately 1.1m high x 0.73m wide 'all grades to all pumps' stand-alone sign would be sited under the petrol filling station.

## **CONSULTATIONS**

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

### **Environmental Health Unit**

Further to my previous comments and application 14/0985/FUL, I have no further comments to make regarding this proposal.

### **Head of Technical Services**

#### Highways Comments

All of the proposed illuminated signs are within acceptable luminance levels, no signs impact on visibility. There are no highway objections.

#### Landscape & Visual Comments

This proposal has no landscape or visual implications.

## **PUBLICITY**

9. 15 objections have been received to date from the following addresses;
  1. C and P Gardner, 9 Tollerton Close
  2. Ms Angela Parkinson, 47 Woodborough Lane
  3. Mr Colin Scott, 4 Mossbrough Close
  4. Mr C Hutchinson, 1 Mossbrough Close
  5. Mrs Norma Twizell, 21 Barlborough Avenue

6. Mr and Mrs Hogg, 3 Barlborough Avenue
7. Mr G Taylor, 19 Barlborough Avenue.
8. Mrs Elizabeth Cole, 38 Bishopton Road West
9. Mr George Morland, 45 Woodborough Lane
10. Mrs Jacqueline Waites, 37 Bishopton Avenue
11. Karen Heritage, 51 Bishopton Avenue
12. W J Taylor, 53 Bishopton Avenue
13. Mr A McIntyre, 102 Oxbridge Lane
14. Mrs Jackie Green, 64 Meridian Way
15. Dr John Mansfield, 43 Bishopton Avenue

An objection has been received from the 'Owner/Occupier' of 15 Barlborough Avenue however this does not constitute an objection without a full name and address.

The objections received are summarised as follows;

- Adverse visual impact of signage and petrol filling station/the proposal would be visually obtrusive
- Increase in anti-social behaviour including vandalism and congregation of 'youths' as a result of filling station and signage
- Increase in litter
- Impact on amenity in terms of noise disturbance, privacy and outlook
- Potential danger to residents' health as a result of storage tanks and smells/fumes
- Increase in traffic/congestion and impact on highway and pedestrian safety in terms of access/egress onto wider residential estate from Barlborough Avenue and Bishopton Road West, exacerbating existing problems, particularly in respect of the surrounding schools and colleges
- The loss of car parking spaces will result in on street car parking along Barlborough Road
- Impact on highway safety with highway users distracted by signage
- Property devaluation
- There are other petrol filling stations in close proximity
- The objections from 45 Woodborough Lane and 4 Mossbrough Close have commented that neighbour consultation should have been wider
- Development not suitable for the area
- Effect on the drains
- Overdevelopment of the site

### **PLANNING POLICY**

10. 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
11. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

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

National Planning Policy Framework

Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;

For decision-taking this means:

approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or -specific policies in this Framework indicate development should be restricted.

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

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.

**MATERIAL PLANNING CONSIDERATIONS**

13. The National Planning Policy Framework states that "*only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts*". As such, the main issues for consideration when assessing this application are the potential impact upon the amenity of the surrounding area and implications for highway safety.
14. Other objections raised in respect of, and associated with the petrol filling station application are considered and set out under the relevant planning application committee report (14/0985/FUL).

**Amenity**

15. The visual appearance of the proposed signage on the petrol filling station and kiosk is considered to be appropriate and in keeping with the associated proposed development for a petrol filling station, canopy and associated kiosk building. Views would be achievable towards the development from the wider area although the main views would be from the

south along Bishopton Road West (south) with the road and playing fields immediately to the south of the development.

16. Furthermore, the site perimeter abounds roads to the south, east and west with residential properties beyond; the proposed filling station and kiosk (and therefore associated signage) would be sited approximately 80m from the nearest properties to the west along Barlborough Avenue, at an oblique distance of approximately 50m from 1 and 3 Bishopton Road West to the south west, approximately 60m to the nearest properties to the south east (including 123 Bishopton Road and 106 Oxbridge Avenue), approximately 50m from the nearest properties to the east (including 202 Bishopton Road) and approximately 70m from the nearest properties to the north east along Bishopton Avenue with the public house approximately 70m to the north.
17. With respect to the proposed totem sign that is to be sited along the south eastern boundary of the site, adjacent to Bishopton Avenue, the sign is also considered to be in keeping with the established commercial (supermarket) nature of the site and the proposed development. The proposed totem sign would be sited approximately 40m from the nearest residential property (No 202 Bishopton Road, east). As set out above an existing totem sign is present approximately 45m to the north of the proposed totem siting. This sign forms part of an advert consent approval in 2004 (reference 04/1531/ADV). In order to prevent an over proliferation of signage around the site and to minimise any adverse visual impact, it is considered necessary for this sign to be removed prior to the erection of the proposed totem sign. The applicant has agreed to this and has indicated this on the proposed drawing. The implementation of this can be secured by way of a planning condition.
18. The Environmental Health Unit has considered the submitted information and has raised no objections to the scheme. The applicant has submitted drawings showing details of the proposed lighting for the filling station (and not signage) 14/0985/FUL. The Environmental Health Officer have commented that the lighting is considered to be acceptable subject to a condition requiring further information on the light spillage and lux levels, to be submitted to the Local Authority for approval prior to commencement of the development.
19. In view of the above considerations including separation distances to the nearest residential properties, the established commercial nature of the site and that the signage is considered to be of an appropriate scale to the proposed development (14/0985/FUL), it is considered that on balance the signage will not introduce significant incongruous features, or lead to an adverse loss of visual amenity or over provision of signs for the surrounding area.

### **Highway Safety**

20. The Head of Technical Services has raised no objections to the signage commenting that the luminance levels are acceptable and that none of the signs impact on visibility. The luminance levels can be restricted by way of a planning condition. Subject to this, it is considered that the proposal will not result in an adverse impact on highway safety.

### **Residual matters**

21. As set out above, matters regarding the impact of the proposed petrol filling station, including the impact on residential amenity and highway safety/access/parking and other material considerations are set out in the relevant and associated planning application committee report (reference 14/0985/FUL).

22. With respect to the objections from 45 Woodborough Lane and 4 Mossbrough Close in respect of neighbour consultation, the Local Planning Authority consulted 37 surrounding residential and non-residential properties. This consultation is therefore considered to be satisfactory.

23. Matters such as property devaluation and anti-social behaviour are not material planning considerations.

### **CONCLUSION**

24. It is recommended that advertisement consent be granted with Conditions for the reasons specified above.

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

### **WARD AND WARD COUNCILLORS**

<b>Ward</b>	<b>Bishopsgarth And Elm Tree</b>
<b>Ward Councillor</b>	<b>Councillor J M Cherrett</b>

<b>Ward</b>	<b>Bishopsgarth And Elm Tree</b>
<b>Ward Councillor</b>	<b>Councillor Elliot Kennedy</b>

### **IMPLICATIONS**

Financial Implications:  
As Report

Environmental Implications:  
As Report

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  
The Town and Country Planning Act 1990.  
National Planning Policy Framework  
Stockton on Tees Local Plan Adopted Version June 1997  
Core Strategy Development Plan Document March 2010