

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

25th May 2016

**REPORT OF DIRECTOR,
ECONOMIC GROWTH AND DEVELOPMENT
SERVICES**

16/0758/ADV

Nifco U K Limited, Yarm Road, Stockton-on-Tees

Advertisement consent for 2 no. illuminated fascia signs, 3 no. wall mounted illuminated hoarding signs and 1 no. illuminated pylon sign.

Expiry Date 26th May 2016

SUMMARY

The application site is the former Nifco factory which is situated off Yarm Road, the surrounding area contains a mix of uses which include commercial and residential premises. On the opposite side of the road is the former Visqueen site which is now well underway as a residential housing estate, with a number of properties fronting onto this site. To the immediate south of the site is an existing Abattoir and Council's own storage yard/depot with the A66 and the associated junction beyond.

This application comes before members as a total of 13no. objections have been received, However, the majority of those objections originally related to the free standing hoarding/billboard which has now be removed from the proposal. Additional comments received also raise concerns in relation to the wall mounted signage boards.

Advertisement consent is therefore sought for 2no. illuminated fascia signs, 3no. wall mounted illuminated hoarding signs and 1 no. illuminated 'pylon' sign. The signage is predominately located on the approved foodstore with the exception of the pylon sign which is situated adjacent to the site entrance.

The proposed signage will be predominately situated on the approved building with a separate free standing sign situated adjacent to the site entrance. The signage is considered visually acceptable and is not considered to have a harmful impact on the amenity of the surrounding area or highway safety. As a consequence the proposal is in accordance with guidance within the NPPF and the Council's adopted Shop front and advertisements SPD.

RECOMMENDATION

That advertisement consent 16/0758/ADV be Approved subject to the following conditions and informative;

Approved plans;

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

Plan Reference Number	Date on Plan
A(90)GAP003 Rev 18	18 March 2016
A(99)GAP001 Rev 2	18 March 2016
A(00)GAV005 T1	18 March 2016

Control of hours of luminance;

- 02 **Notwithstanding any details submitted as part of the application, the hereby approved signage shall not be illuminated outside of the hours of 08:00 to 22:00 hours Monday to Saturday and 10:00 to 16:00 on Sundays and Bank Holidays.**

Reason: To prevent excessive light pollution in the interests of the amenity of the neighbouring occupiers.

INFORMATIVE OF REASON FOR PLANNING APPROVAL**Informative: Working Practices**

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by seeking a revised scheme to overcome issues and by the identification and imposition of appropriate planning conditions

BACKGROUND

1. Much of the planning history relates to the existing building and manufacturing operations with planning permissions being granted for development including; new buildings, extensions, new openings, roller shutters and fencing (refs;92/1850/P 94/0974/P, 95/0621/P, 98/0626/P, 99/0098/P, 99/0515/P, 99/1851/P, 02/0032/P, 02/0545/P, 03/0335/P, 04/1165/RTC & 05/3266/FUL). Since the relocation of Nifco to their purpose built factory at Durham Lane Eaglescliffe the building has become disused and is now vacant.
2. Earlier this year planning approval was granted for the re-development of the site for a retail foodstore and associated works including parking and landscaping (Ref; 15/2447/FUL).

SITE AND SURROUNDINGS

3. The application site is the former Nifco factory which is situated off Yarm Road, the surrounding area contains a mix of uses which include commercial and residential premises. On the opposite side of the road is the former Visqueen site which is now well underway as a residential housing estate, with a number of properties fronting onto this site. To the west and north are two railway lines and a relatively modern residential estate beyond the northern railway line. To the immediate south of the site is an existing Abattoir and Council's own storage yard/depot with the A66 and the associated junction beyond.

PROPOSAL

4. Since the original application was submitted and at the request of Officers, a free standing hoarding sign in the south-eastern corner has been removed from the scheme.
5. Advertisement consent is therefore sought for 2no. illuminated fascia signs, 3no. wall mounted illuminated hoarding signs and 1 no. illuminated 'pylon' sign. The signage is predominately located on the approved foodstore with the exception of the pylon sign which is situated adjacent to the site entrance, the measurements of the signage is detailed below;
 - Facia sign – 2.5m (w) x 2.5m (h)
 - Wall mounted hoarding sign – 6.3m (w) x 3.2m (h)
 - Pylon sign –2.1m (w) x 7.5m (h) x 0.4m (d)

CONSULTATIONS

6. The following Consultations responses were received in response to the planning application (shown in summary):-

Highways Transport and Environment – Considers that the proposed luminance levels are acceptable and has no objection to this application.

Local Ward Councillor, Alan Mitchell – strongly objects to any large billboard facing onto Yarm Road which is a key entry point to Stockton as it is not in keeping with the residential development in this area or appropriate for the regeneration of the site itself. While the desire to advertise the store is appreciated, it is considered that it will be obvious enough with other signage and alternative advertising. In addition, a large number of residents of the Queensgate development will have their enjoyment of their new homes ruined by such a prominent billboard which will impact upon the success of the redevelopment of the former Visqueen site.

PUBLICITY

7. Neighbouring residents were notified of the proposed development and a total of 13no. objections have been received and are shown below (in summary).

Objections

- Proposal is contrary to Planning Policy Guidance 19
- Large advertising illuminated billboards not in keeping with the area
- No other retail store has such advertisements
- Could attract vandalism and graffiti to the area
- The illumination is unnecessary, excessive and will create additional light pollution opposite a residential area
- The billboard should be altered or removed
- Illuminated billboard would affect sleep
- Impact on property saleability and values

Objectors:

1. Darren Davies - 6 Lynx Way Stockton-on-Tees
2. Mr Carl Cairns - 41 Innovation Avenue Stockton-on-Tees
3. Christina Hesford - 2F Sculptor Crescent Stockton-on-Tees
4. G Patton E Boston - 8 Corona Court Stockton-on-Tees
5. Mr John Henderson - 10 Corona Court Stockton-on-Tees
6. Craig Minto - 19 Corona Court Stockton-on-Tees
7. Mr Antony Hill and Miss Rachael Butler - 25 Corona Court Stockton-on-Tees
8. Ruth Abbey - 55 West End Way Stockton-on-Tees
9. Mr Andrew Duffell - 8 Cennon Grove Ingleby Barwick
10. Lauren Jordan and Iain Bentley - 11 Carina Crescent Stockton-on-Tees
11. Allison Davies - 17 Sculptor Crescent Queensgate
12. Mr P. Hughes & Miss K. Taylor - 3 Hydra Way Stockton-on-Tees
13. Queensgate Residents Group

PLANNING POLICY

8. 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. 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 consideration

National Planning Policy Framework

9. 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.

Local Planning Policy

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

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.

Shop Fronts and Advertisements SPD;

7. Advertisements

7.1 Advertisements have a clear purpose and play an important role in attracting custom, providing information and giving direction. Whilst it is recognised that they can add colour and vitality to shopping areas where they are designed and located sensitively, advertisers need to be aware that insensitively sited or over large signs can have the opposite effect and spoil the appearance or character of a building and its surroundings. Equally too many signs can create clutter harming a buildings character and external appearance as well as defeating their main purpose - to provide clear information and advertising.

Form

7.6 Like shop front designs, advertisements will need to respect the style and character of both the building and the surrounding area in terms of their design, materials and location. The proportions of an advertisement should reflect those of the building and excessively large advertisements that dominate a building will not be supported.

Fascia

7.16 A traditional fascia advertisement would typically have comprised of a painted timber background with hand painted lettering or raised metal or timber letters. This is considered to remain an appropriate approach for traditional shop frontages or older buildings. As a general rule, original or existing fascia areas should not be increased in height to accommodate any new signage nor should any signage boards protrude above or below this line. In cases where signage has already been increased beyond the original fascia and are considered to be disproportionate, a reduction in their size may be sought.

Totem signs

7.22 These are generally taller signs that display a limited amount of information such as a company name, store opening times and any services available. Typically they are seen as a way of attracting passing motorists and are fairly commonplace for supermarkets, restaurants and petrol stations that lie next to major roads.

7.23 In these types of locations they are likely to remain acceptable subject to being of an appropriate height. Typically a height of 4m is considered to be more than adequate but each case will need to be assessed on its own merits and such a height may not always be considered acceptable. In more sensitive locations such as the residential areas, high streets/shopping parades, and conservation areas they are unlikely to be considered acceptable.

Advertisement hoardings

7.24 The Council recognises that advertisement hoardings are an established way of advertising for a variety of purposes. Advertisement hoardings are typically large structures that generally have a significant visual impact. New proposals for advertisement hoardings that require advertisement consent would be appropriate in scale to their surrounding and will not be supported where they cause harmful visual impact or harm public safety.

7.25 More sensitive locations will typically include areas such as the open countryside, conservation areas and residential areas where large hoarding advertisements would not normally be allowed. In all other locations including commercial areas, each application will need to be judged on its own merits and early discussions with the planning department over the suitability for an advertisement hoarding is advised.

7.26 Exceptions in sensitive location may be allowed where they are for a temporary period in order to advertise key regeneration projects or housing developments. In these cases, the locations of such signage will need to be sensitively located. Where advertisement hoardings are allowed, applicants may be expected to provide landscaping details in order to minimise any impact. Any landscaping will need to be maintained by the applicant unless an appropriate commuted sum is paid to the Council for maintenance purposes.

MATERIAL PLANNING CONSIDERATIONS

11. As set out in the National Planning Policy Framework (NPPF), paragraph 67 sets out that the control of advertisements is restricted to the impacts on of amenity and public safety whilst taking account of the cumulative impacts. Whilst the local residents group have referred to Planning Policy Guidance 19 (Outdoor Advertisements) this piece of planning guidance no longer exists as it has been replaced by the NPPF, it therefore carries no weight in the determination of this application.

Amenity;

12. The application site lies adjacent to Yarm Road and is within a prominent location on one of the main approaches into Stockton Town Centre. The area has a mix of uses with a new and on-going residential development on the former Visqueen site. It is noted that all the signage is to be illuminated and given that residential properties lie directly opposite the site, it is considered both reasonable and necessary to limit the hours of illumination to the stores opening hours (08:00- 22:00 Monday to Saturday and 10:00 to 16:00 on Sundays and Bank Holidays) to prevent light intrusion and disturbance. The visual impacts of the signage are considered below.

Facia Signs

13. The two proposed fascia signs will measure 2.5m x 2.5m and will feature the 'Lidl' brand name on the glazed section adjacent to the store entrance. The proposed signage is considered to be proportionate to the scale of the store and will not adversely affect the amenity of the area.

Pylon Sign

14. The proposed 'pylon' sign will reach a maximum height of 7.5m and is positioning adjacent to the site entrance and Yarm Road. It's positioning and design is typical for this type of signage and is also fairly commonplace for supermarkets that lie next to major roads. Whilst very tall, it would allow for further lettering to be incorporated should any further development occur or there be the need by the retail operator. This would limit the need for further additional signage of other 'plyon' or 'totem' signage in the immediate vicinity of the site and is on balance considered to be visually acceptable.

Hoarding signs

15. As outlined within the Council's adopted SPD on shop fronts and advertisements hoarding signs can have a significant visual impact and must be appropriate in scale to their surroundings. Whilst of a large scale, the 3no. wall mounted hoarding signs are fixed to the northern elevation of the building and will be most apparent when viewed from the associated car park of the approved foodstore. Views of these signs externally from the site are likely to be more limited given the angle of the building, its position set back from Yarm Road and given the presence of landscaping to the front of the site, albeit any screening may be reduced in winter months. However, the combination of these factors along with the fact that the signs will be seen against the backdrop of the building are considered to limit the overall impact of this proposed signage and on balance such signage is considered to be acceptable.
16. It is noted that the objections received from residents and a local ward councillor principally related to the free standing hoarding or billboard sign. At Officers request the applicant has reconsidered the proposed free standing hoarding and agreed to its removal from the scheme.
17. The proposed signage is therefore considered to be visually acceptable and will not adversely impact onto the surrounding area or residents.

Public safety;

18. The Highways, Transportation and Environment Manager has considered the submitted information, the location of the signs and raises no objections to the level of illumination. The signage is therefore not considered to pose any significant risk to highway safety or public safety.

CONCLUSION

19. In view of the above, the proposed signage is not considered to have a harmful impact on the amenity of the surrounding area or highway safety, as a consequence the proposal is in accordance with guidance within the NPPF and the Council's adopted Shop front and advertisements SPD and is recommended for approval subject to those conditions within the report.

Director of Economic Growth and Development Services
Contact Officer Mr Simon Grundy Telephone No 01642 528550

WARD AND WARD COUNCILLORS

Ward Parkfield and Oxbridge
Ward Councillor(s) Councillors M Javed and A Mitchell

IMPLICATIONS

Financial Implications:

Section 143 of the Localism Act has been taken into consideration and there are no known financial considerations/implications at this time.

Environmental Implications:

The proposal relates to advertisements and its visual impacts, along with matters relating to the impacts on residential amenity and highway safety. These are considered and addressed within the report but are viewed to have a very limited impact.

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:

Stockton on Tees Local Plan Adopted 1997
Core Strategy – 2010

Supplementary Planning Documents

SPD7 - Shop Front and Advertisement Design Guide