

Committee Report**Date:03.10.2018**

Item Number	05
Application Number	18/00012/ADV
Proposal	Advertisement consent for 1 height restrictor (internally illuminated), 7 free-standing signs (internally illuminated), 1 directional sign (non-illuminated) and 14 dot signs (non-illuminated)
Location	Morrisons Supermarket Car Park Amounderness Way Thornton Cleveleys Lancashire FY5 3TS
Applicant	McDonalds Restaurant Ltd And WM Morrison Supermarkets Plc
Correspondence Address	c/o Planware Ltd Mr Matthew Carpenter The Granary First Floor 37 Walnut Tree Lane Sudbury Suffolk CO10 1BD
Recommendation	Permit

REPORT OF THE HEAD OF PLANNING SERVICES**CASE OFFICER - Miss Lucy Lowcock****1.0 INTRODUCTION**

1.1 This application is brought to Committee at the request of Councillor Alan Vincent. A site visit is proposed to allow Members to see the site context including relationship with neighbouring properties.

2.0 SITE DESCRIPTION AND LOCATION

2.1 The application site incorporates part of the carpark and access of the adjacent Morrisons supermarket. The site is in Flood Zones 2 and 3. It is in the urban area, but is outside the Town Centre of Cleveleys. It is accessed via a junction off the roundabout on Amounderness Way (A585).

2.2 Outside of the site boundaries, there is a petrol station to the east, a supermarket and its carpark to the south and residential properties to the north and west. There are some trees and vegetation to the north and west boundaries.

3.0 THE PROPOSAL

3.1 This application is for Advertisement Consent for advertisements as follows:

Sign x 1 - height restrictor gateway sign measuring 3.2m in height by 4.2m. This would be in aluminium with a timber effect. It would be internally illuminated so that the words 'drive-thru' are lit up. This would be at the entrance to the drive-thru.

Sign x 7 - freestanding signs of a maximum size of 2.64m by 1.7m. These would be constructed from aluminium and would be internally illuminated. These would be sited at the western side of the drive-thru.

Sign x 1 - directional sign measuring 0.45m by 1.25m. This would be non-illuminated and would be sited on the western side of the drive-thru. It would be a maximum height of 2.45m.

Sign x 14 - dot signs. These would be to the eastern side of the site and would comprise various instructional signs, such as no entry and give way. These would be non-illuminated. The maximum height of these would be 0.9m on posts.

4.0 RELEVANT PLANNING HISTORY

4.1 Other current applications relating to this development include:

App. No: 18/00008/FUL - Erection of two-storey restaurant with associated drive thru (Class A3/A5), car parking, landscaping and associated works, installation of 1 external seating area and two customer order displays. 3m high acoustic fence to boundaries and 6 CCTV cameras on building.

App. No: 18/00011/ADV - Advertisement consent for one 8m high internally illuminated totem sign

App. No: 18/00010/ADV - Advertisement consent for 4 internally illuminated fascia signs

5.0 RELEVANT PLANNING POLICY

5.1 ADOPTED WYRE BOROUGH LOCAL PLAN 1999 (SAVED POLICIES)

5.1.1 The Wyre Borough Local Plan was adopted on the 5th July 1999. The saved Local Plan forms part of the development plan for the district. Due weight should be given to relevant policies according to their degree of consistency with the Emerging Local Plan and the National Planning Policy Framework (NPPF).

5.1.2 The following policies are considered to be of relevance to the determination of this application:

SP14 Standards of design and amenity
S7 Design of signs and shopfronts

5.2 EMERGING WYRE LOCAL PLAN

5.2.1 The Council is in the process of preparing a new Wyre Local Plan. Following public consultation on the 'Publication' draft Wyre Local Plan (2011 -2031), the Council submitted the draft Local Plan with minor amendments to the Government for examination on the 23rd January 2018. The Inspector appointed to carry out the examination held a series of hearing sessions in May into the Local Plan, which included consideration of proposed modifications submitted by the Council prior to and during the hearing sessions. The Inspector issued a Post Hearing Advice note to the Council in July which provides a clear direction on key issues arising from the examination and further main modifications that are required to make the Wyre Local Plan sound. The Council published its initial response to the Inspector's note on the 30th July 2018, which sets out how it will be making the necessary amendments required by the Inspector. The proposed Main Modifications (MM) to the 'Publication'

draft Wyre Local Plan were considered by Full Council on 6th September and approved for public consultation for six weeks, commencing on the 12th September. Although the draft Local Plan as proposed to be modified does not have the full weight of an adopted Local Plan, it has reached an advanced post hearing stage in the local plan process and is supported by a comprehensive and robust evidence base. Development plan policies contained within the draft Local Plan as proposed to be amended in response to the Inspector's Post Hearing Advice will therefore be given increased weight in determining planning applications depending on the particular circumstances of the case and the extent of any unresolved issues.

5.2.2 Where policies in the new Wyre Local Plan are consistent with the 2012 NPPF, then the (revised) NPPF published in 2018 allows for increased weight to be given to them. Those development plan policies with no unresolved issues will be given significant weight. Alongside these, the policies in the 2018 NPPF are material considerations which should also be taken into account for the purposes of decision taking.

5.2.3 The following policies contained within the draft Local Plan are of most relevance:

CDMP3 Design

EP14 Outdoor advertisements and directional signs

5.3 NATIONAL PLANNING POLICY FRAMEWORK

5.3.1 The National Planning Policy Framework (NPPF) was published by the Government on the 24th July 2018. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). For decision-taking, this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless : i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposal; or ii) 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.

5.3.2 Good design is a key aspect of sustainable development. The NPPF sets out a number of planning policies concerned with achieving well-designed places including providing a high standard of amenity. Paragraph 132 notes that poorly sited and designed advertisements can cause the quality and character of places to suffer. It further notes that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

5.4 NATIONAL PLANNING PRACTICE GUIDANCE

5.4.1 Includes guidance on advertisements, design and light pollution

6.0 CONSULTATION RESPONSES

6.1 LCC (HIGHWAYS) - no objections

6.2 WBC HEAD OF ENVIRONMENTAL HEALTH AND COMMUNITY SAFETY (AMENITY) - no objections. Requested condition about lighting standards and levels.

7.0 REPRESENTATIONS

- 7.1 22 letters of objection received, points raised:
- glare of light from signs into houses
 - impact on wildlife
 - comments relating to other applications at the site
 - impact on house prices

8.0 CONTACTS WITH APPLICANT/AGENT

- 8.1 Revised gateway plan to remove mention of 24 hour opening 29/3/18

9.0 ISSUES

9.1 The main issues that can be considered for advertisement consent applications in accordance with relevant legislation and the NPPF are as follows:

- Amenity
- Public Safety

Amenity

9.2 The adverts would be adjacent to the main building proposed on the site (pending consideration under planning application 18/00008/FUL). They would be in keeping with the scale and appearance of the building, and would not over-dominate it. They would also be in keeping with the character of the area, where they would be adjacent to a supermarket carpark and a petrol forecourt. Both of which already have their own signs. The illumination proposed (not to exceed 600 candelas per square metres) would not be visually obtrusive in this setting. The proposed acrylic materials would be appropriate and could be conditioned to be used. A condition is also required to ensure the illumination is switched off when the building is not in use.

9.3 In terms of neighbouring amenity, the adverts would have a maximum height of 3.2m. The council's environmental protection department have been consulted on the application and have no objections. Notwithstanding the illumination levels proposed, they have requested a condition be attached to any consent that the light levels do not exceed a certain amount as measured at neighbouring properties. It is considered that this be best conditioned by requiring a lighting scheme and assessment to be submitted for approval which demonstrates these levels would be achieved. With this condition it is considered that unacceptable light pollution or glare can be avoided at neighbouring properties from the advertisement. Additionally, it should be noted that a 3m high acoustic fence is proposed to boundaries with neighbouring properties under the application for the main building (App. No: 18/00008/FUL), which should adequately screen the proposed signs from neighbouring properties.

Public Safety

9.4 The signs would be internally illuminated. Lancashire County Council Highways have been consulted on the application and have not raised any objections or requested any conditions. It is therefore not considered that there would be unacceptable impacts on highway safety and public safety.

Other matters

9.5 Comments have been made by neighbours on other current planning/advertisement consent applications at this site. Only comments specific to this application under consideration, can be taken into account as part of this application.

9.6 A comment has been made about impacts on wildlife. It is not clear if this relates to this application for the adverts or other applications at the site. Nonetheless, it is not considered that there would be unacceptable impacts on wildlife from these advertisements in the urban area and that would be facing into the site.

9.7 Impacts on property prices are not a material planning consideration.

10.0 CONCLUSION

10.1 The proposed signs have been assessed to be acceptable in terms of amenity and public safety, they therefore comply with relevant legislation, the NPPF and the relevant policies listed in the Adopted and Emerging Wyre Local Plan.

11.0 HUMAN RIGHTS ACT IMPLICATIONS

11.1 ARTICLE 8 - Right to respect the private and family life has been considered in coming to this recommendation.

11.2 ARTICLE 1 - of the First Protocol Protection of Property has been considered in coming to this recommendation.

12.0 RECOMMENDATION

12.1 Grant advertisement consent subject to conditions

Recommendation: Permit

Conditions: -

1. The advertisement(s) shall be displayed, except where modified by the conditions to this consent, in accordance with the Application for Advertisement Consent received by the Local Planning Authority on 3 January 2018 including the following plans/documents:

- location plan Revision A
- proposed site advertisement plan Revision E
- Side by Side Any Lane Sign 1:20
- Sign A 1:4 and 1:5
- Dot Signage Accessible Parking Bay 1:5
- Dot Signage Give Way 1:5
- Dot Signage No entry 1:5
- Dot Signage Parked Order Bay 2 1:5
- Dot Signage Parked Order Bay 1 1:5
- Dot Signage Pedestrian Crossing 1:5
- Totem 4 1 Bay 1:20
- Totem 3 Presell Boards 1:20
- Gateway 1:20 (received 29/3/18)

- Hero Poster Board 1:20

The advertisement(s) shall be retained hereafter in accordance with this detail.

Reason: For the avoidance of doubt and so that the Local Planning Authority shall be satisfied as to the details.

2. The development shall be carried out using those materials specified on the approved plan(s), unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality and in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (July 1999)

3. Notwithstanding the level of illumination stated on the application form, prior to the installation of any of the illuminated signs hereby approved, a scheme for the provision of external lighting together with an Artificial Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that light intrusion into the windows of any sensitive premises will not exceed 10 Lux before 23.00, and 2 lux after 23.00 (Environmental Zone E3). The assessment shall demonstrate that the lighting will be installed in accordance with the Institution of Lighting Professionals' Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (or any subsequent replacement guidance).

The lighting shall be installed and operated in accordance with the approved scheme details, which shall be maintained and retained thereafter.

Reason: To safeguard residential amenity in accordance with Policy SP14 of the Adopted Wyre Borough Local Plan (1999), Policy CDMP3 of the Emerging Local Plan and paragraph 132 of the National Planning Policy Framework.

4. The means of illumination for the signs hereby consented to be illuminated shall be switched off at the close of business each day and shall only be switched on during business hours.

Reason: In the interests of visual amenity and the amenity of occupiers of neighbouring properties in accordance with Policy SP14 of the adopted Wyre Borough Local Plan (July 1999).