

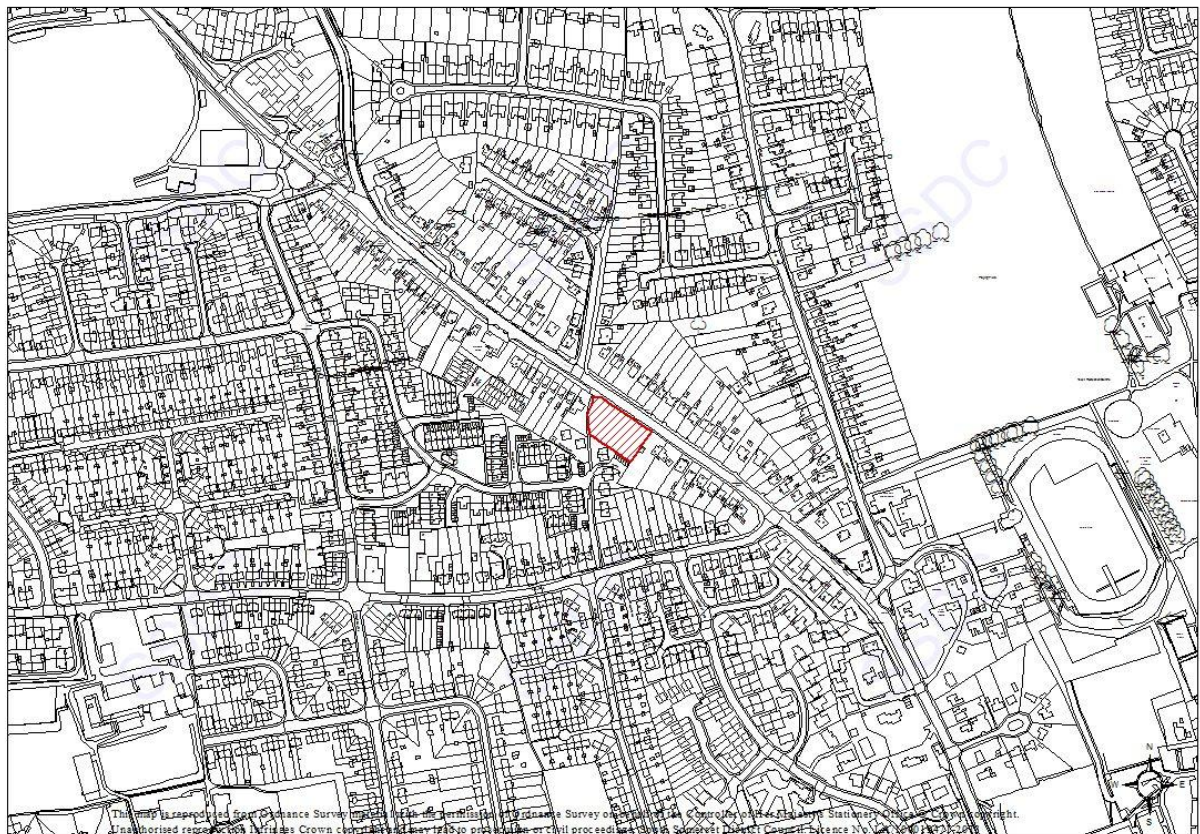
Officer Report On Planning Application: 13/01923/ADV

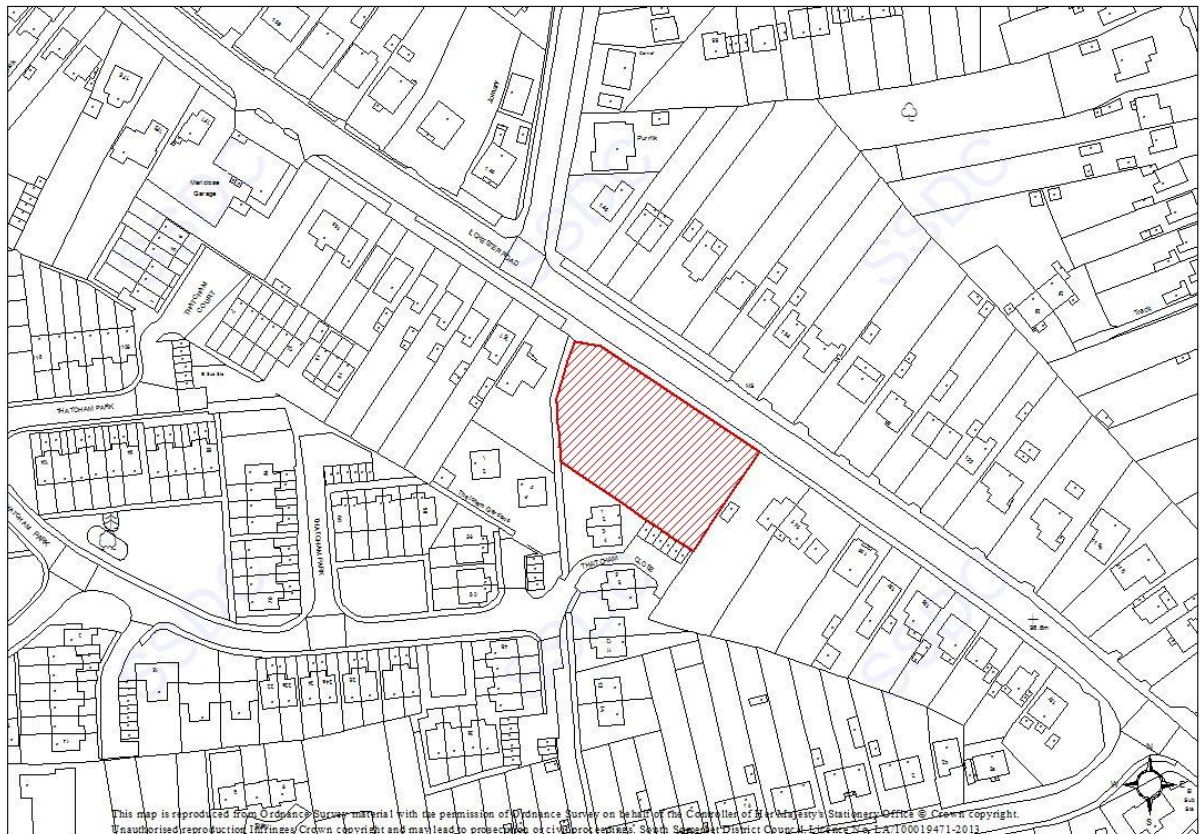
Proposal :	The display of 2 No. externally illuminated fascia signs, 2 No. non illuminated entrance signs, 2 No. non illuminated welcome/goodbye signs and 3 No. non illuminated car parking signs (GR 354793/117217)
Site Address:	Picketty Witch 147 Ilchester Road Yeovil
Parish:	Yeovil
Yeovil (West) Ward (SSDC Member)	Cllr T Carroll Cllr W Read Cllr I S Martin
Recommending Case Officer:	Jane Green Tel: 01935 462079 Email: jane.green@southsomerset.gov.uk
Target date :	10th July 2013
Applicant :	Tesco Stores Ltd
Agent: (no agent if blank)	CgMs Ltd 7th Floor 140 London Wall London EC2Y 5DN
Application Type :	Other Advertisement

Reason for Referral to Committee

The application is brought to Area South Committee in view of the Highways Authority concerns for the proposed signage along the road frontage and in accordance with the scheme of delegation as it relates to an 'A' class road.

Site Description and Proposal





147 Ilchester Road is two storey, detached property last operating as the Picketty Public House. Located on the south side of Ilchester Road the building is set back from the road and due to its size is prominent in the streetscene. It is constructed of red brick under a plain clay tiled roof and its design is fairly traditional. The building is surrounded by residential properties although there are some other commercial uses in the road. Due to the drop in levels the residential properties to the rear sit much lower than application building although the single storey former skittle alley building is located on the boundary of the property which provides a barrier in between. It is noted the property (which appears to be a flat) that is located to the south of the site has an obscure glazed window which faces the site. A large car park is situated to the east side of the building.

The application seeks advertisement consent for the display of 2 No. externally illuminated fascia signs and 2 non illuminated entrance signs on the building, 2 No. non illuminated welcome/goodbye signs at a height of 1500mm each and 3 No. non illuminated car parking signs at a height of 1550mm each.

During the course of the application amended plans were received which removed an originally proposed 3.2 metre high externally illuminated gantry sign close to the road. The illumination of the fascia signs have been changed from internal to external illumination and the welcome/goodbye signs and one car park sign have been repositioned off the highway owned grass verge. The amended plan also shows the re-use of the existing pub sign which has deemed consent.

For information the applicant is Tesco Stores Ltd and the proposed retail use does not require the benefit of planning permission from the previous use as a public house.

HISTORY

13/02240/FUL - Installation of 5 No lighting bollards - Concurrent application under consideration
13/01909/FUL - The installation of an ATM unit - Concurrent application under consideration
13/01920/FUL - The carrying out of minor exterior alterations to provide a new shop front - Approved with conditions July 2013
13/01921/FUL - The installation of 5 No. bollards - Approved with conditions July 2013
13/01922/FUL - The installation of 3 No. air conditioning units and 2 No. fan condenser units to the rear of the building - Approved with conditions
12/03904/DOC - Application to discharge planning condition No. 4 (Car Parking) of approval 12/03010/FUL October 2012
12/03010/FUL - The erection of a single storey rear extension - Application permitted with conditions September 2012
11/03843/PREAPP - Rear extension - September 2011
10/02798/PREAPP - Change of windows from metal to uPVC July 2010
71525 - Advertisement: Display of 3 canopies, 4 externally illuminated amenity boards and 2 externally illuminated signs October 1987
790172 - The carrying out of alterations, the construction of a fire escape and the provision of floodlighting to the front elevation of the Picketty Witch, Ilchester Road, Yeovil - Conditionally approved April 1979
A5007/A - Display of four internally illuminated signs at the Picketty Witch Hotel - Refused August 1970
78626 - Extension of car park at the Picketty Witch Inn - Approved March 1967

POLICY

The Secretary of State's powers to make regulations for the control of outdoor advertisements are in sections 200, 221, 223 and 224 of the Town and Country Planning Act 1990. The current regulations are the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Under regulation 3, advertisements are subject to control only in the interests of "amenity" and "public safety".

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

Following the revocation of the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review regard needs to be had to the development plan policies of the saved policies of the South Somerset Local Plan (2006).

The policies of most relevance to the proposal are:

South Somerset Local Plan (Adopted April 2006)
ST5 (General Principles of Development)

ST6 (Quality of Development)
MC7 (Design in Town Centres)
MS7 (The Control of Advertisements)

South Somerset District Council's Supplementary Planning Guidance - The Design of Shopfronts Signs and Security Measures

National Planning Policy Framework (March 2012):
Chapter 7 (Requiring Good Design) - paragraph 67

CONSULTATIONS

SSDC Technical Services:
No comment

Highways Authority:

I am aware that concerns have been raised in respect of the change of use of the public house to the retail use. It is my understanding that planning permission was not required for the change of use, for this reason the Highway Authority do not have the opportunity to assess any impact of the change of use on the adjoining highway network.

The site is located on Ilchester Road/A37 which as part of the now extinguished structure plan was defined as a National Primary Route. Notwithstanding this, Ilchester Road, is a key route in the highway network and experience high volumes of traffic.

It is noted that the Applicant is incorporating a separate in/out arrangement, however this is not enforceable on private land, therefore there would be nothing to prevent drivers entering or exiting from either point of access.

Please find attached an extract of road record denoting the highway limits, the red line of the application site has included highway land onto which two signs are proposed and I would seek that this is amended accordingly.

It is noted that the application has been amended as follows:

The change of illumination of the 2 fascia signs from internally to external illumination, the removal of the externally illuminated gantry sign from the proposal.

I have no objection to the signs which will be located on the building, however I would seek that no signage is erected along the site frontage, next to the adjoining A37 Ilchester Road, that could distract drivers and also set a precedent for further applications in this location for additional (unnecessary) signage.

Taking this into consideration if the application is not amended to omit these signs I would have no alternative but to recommend refusal on the following reason:

The proposed signs, are considered to be prejudicial to highway safety by virtue that it would be likely to distract, or confuse road users because of its size, detailing and proximity to the public highway

Environmental Protection Unit:
No comments to make

Yeovil Without Parish Council (Neighbouring Parish):

No objections. - However, we do have reservations about traffic safety and congestion as a result of the change of use of these premises. Please refer to the attached copy of a letter which we have recently sent to Somerset County Council. There may also be noise pollution problems for the nearby properties in Thatcham Park at the rear of the shop, as a result of the installation of the air conditioning equipment.

Yeovil Town Council:

Recommend approval on the original plans. Noted the amended plans

REPRESENTATIONS

32 neighbours notified, one representation received which is as follows:

"The illuminated signs will cause light to disrupt the local residents in their own homes which is unfair. This may also distract drivers on the busy road. The pub was not lit externally and therefore did not impact. Tesco is altering the visual amenity of the locality already with little consideration to community".

CONSIDERATIONS

Bearing in mind the primary use of the building as a retail store does not require the benefit of planning permission, the main consideration on this application is the impact of the proposed advertisement on the visual amenity of the area and public safety considerations.

This application is seeking advertisement consent for the display of signage on a commercial premises to be operated as a retail store.

Policy background

Policy MS7 of the South Somerset Local Plan 2006 relates to the control of advertisements and states that "permission for the display of advertisements, signs and notice boards, including on shopfronts, will be permitted where they:

"Are in keeping with the character of the surrounding area in terms of siting, design, materials, illumination, scale and number; and

Do not prejudice public safety."

The National Planning Policy Framework Chapter 7, paragraph 67 states "Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. 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."

Visual impact

The premises were previously operated as a public house and as such signage was displayed on and around the building commensurate with that use.

The premises is located in a primarily residential area. During the course of the application amendments were sought to ensure the proposed signage was not overly intrusive in the street. The change in illumination and the removal of the large gantry sign was considered a suitable compromise to enable the applicant to advertise their site but to minimise the appearance of advertisements on the site and the overall area. The proposed signs on the building are considered to be of a commensurate scale for the size of the building. The proposed external lighting is much more subtle and sympathetic

to the character of the building than the original internal lighting proposed. The other advertisements are of modest sizes, of no illumination and are located with minimal intrusion to the streetscene.

Whilst the concerns of the neighbour is noted overall the proposed signs are a design and of a scale and proportion that is acceptable for the building and the overall site. It is considered they will preserve the character and appearance of the building and are also acceptable for this location. A condition is considered appropriate to prevent the illumination of the signs during the night when the store is closed.

Public Safety

The Highways Authority were consulted on the application and noted that some of the signs were proposed on Highway owned land. In this connection the applicant was contacted and amended plans were received showing the repositioning of the affected signs off the highway verge into the ownership of the applicant.

They note that Ilchester Road is an A road and subject to high volumes of traffic. As such they refer to the signage erected along the site frontage as potential to distract drivers and also set a precedent for further applications in this location for additional (unnecessary) signage. Whilst their recommendation of these particular signs are for refusal their concerns are not wholly agreed with. The proposed signs along the frontage have been carefully assessed for their potential to clutter and cause distraction to drivers. Hence the original scheme has been amended to remove the large gantry sign which was considered visually intrusive and added clutter to the overall site which could cause distraction to drivers. It is considered the Highways concerns that these signs will set a precedent for further applications in this location is not necessarily true as the Planning Authority would have control over any such application and the cumulative impact of more signs would be assessed. MS7 of the South Somerset Local Plan does not support numerous advertisements that clutter and detract from the character of the area or distracts road users which impacts on public safety.

It is also worth pointing out that the aggregate area of the signs to be displayed on the forecourt of the premises is below that which has deemed consent under Class 6 of Schedule 3 of the advert regulations (4.6 square metres). The largest sign to be displayed is also smaller than the maximum size allowed under this class (1.55 square metres). As such it would appear if the premises was in use these signs on the forecourt would not need consent.

In conclusion this amended scheme is considered appropriate for this commercial site.

RECOMMENDATION

Grant consent for the following reason:

01. The proposal, by reason of its size, scale, design and illumination would be in keeping with the building and respects the character and appearance of the surrounding area and does not prejudice public safety in accordance with the aims and objectives of The National Planning Policy Framework (March 2012) and Policies ST5, ST6 and MS7 of the South Somerset Local Plan 2006 and adopted Supplementary Planning Guidance - Design of Shop Fronts: Signs and Security Measures.

SUBJECT TO THE FOLLOWING:

01. (a) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

(c) Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) Before any advertisement is displayed on land in accordance with the consent now granted, the permission of the owner of that land, or of a person entitled to grant such permission, shall be obtained.

(e) The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with the Town and Country Planning (Control of Advertisement) Regulations 2007.

02. The development hereby permitted shall be carried out in accordance with the application form and following approved plans:

Drawing numbers: 121593/AP131 Revision E date stamped as received 26 June 2013

121593/AP130 Revision A date stamped as received 15 May 2013

121593/AP132 Revision C date stamped as received 10 June 2013

Car park signage details date stamped a received 15 May 2013

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The illumination hereby approved shall only be switched on during the store's opening hours.

Reason: In the interests of the residential amenity of nearby properties, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

Informatives:

01. It is brought to the attention of the applicant that the display of any further signage not subject of this advertisement application is likely to require further consent and is likely to be resisted by the Local Planning Authority.