

# COMMITTEE REPORT

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### APPLICATION DETAILS

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<b>APPLICATION NO:</b>	7/2011/0088/DM
<b>FULL APPLICATION DESCRIPTION:</b>	Installation of 2 no. internally illuminated fascia signs to front elevation
<b>NAME OF APPLICANT:</b>	Morrisons Shildon
<b>SITE ADDRESS:</b>	Morrisons Supermarket, Unit 2 Church Street, Shildon, County Durham
<b>ELECTORAL DIVISION:</b>	Shildon
<b>CASE OFFICER:</b>	David Gibson, Planning Officer (03000) 261057, <a href="mailto:David.Gibson@durham.gov.uk">David.Gibson@durham.gov.uk</a>

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### DESCRIPTION OF THE SITE AND PROPOSALS

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1. The application site is a commercial property located within the town centre of Shildon. Residential properties are situated to the north and the east of the building.
2. Advertisement consent is sought for the erection and display of two internally illuminated signs to the front of the existing supermarket. The signs will be displayed either side of the store entrance with one facing north and one facing south. The signs are to replace the existing internally illuminated signs on the store as it has recently changed hands from a Netto to a Morrisons.
3. The application has been reported to the Committee as Shildon Town Council has objected to the proposal. It is noted that the scheme of delegation has since been amended; however, this objection was received before the amended scheme of delegation was approved by Cabinet.

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### PLANNING HISTORY

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4. In March 2009 retrospective advertisement consent (7/2009/0012/DM) was granted for the display of an illuminated fascia sign and an illuminated totem sign.
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## **PLANNING POLICY**

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### **NATIONAL POLICY:**

Planning Policy Statement 1: Delivering Sustainable Development sets out the overarching planning policies on the delivery of sustainable development through the planning system.

Planning Policy Guidance note 19: Outdoor advertisement control aims to ensure that all outdoor advertisements are suitable for the area in which they are situated and do not have an unacceptable impact on the amenity or safety of the neighbouring residents.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements>*

### **REGIONAL POLICY:**

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period of 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale. Of particular relevance to this application are the following policies:

Policy 8 (Protecting and Enhancing the Environment) seeks to promote measures such as high quality design in all development and promoting development that is sympathetic to its surroundings.

*The above represents a summary of those policies considered most relevant. The full text can be accessed at: <http://www.gos.gov.uk/nestore/docs/planning/rss/rss.pdf>*

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### **LOCAL PLAN POLICY:**

Policy D1 (General principles for the layout and design of new developments) requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.

*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at (<http://www2.sedgefield.gov.uk/LocalPlan1996/WrittenStatement/content2.htm>)*

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## **CONSULTATION AND PUBLICITY RESPONSES**

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### **STATUTORY RESPONSES:**

Sildon Town Council objects to the scheme if the development remains illuminated as it will cause nuisance to the residents of Dean Close and adds no commercial value as it is situated to the rear of the property.

### **INTERNAL CONSULTEE RESPONSES:**

The Environmental Health Section has no objections to the proposed development.

## **PUBLIC RESPONSES:**

One letter of objection has been received from the occupiers of 11 Dean Close who object to the proposals on the grounds that there is no need for an illuminated sign when it is on the rear of the building and that they will have to look at the sign from their property.

## **APPLICANTS STATEMENT:**

No supporting statement has been submitted with the application.

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*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at ([http://www2.sedgefield.gov.uk/planning\\_search/alldetails.php?ID=31920](http://www2.sedgefield.gov.uk/planning_search/alldetails.php?ID=31920)). Officer analysis of the issues raised and discussion as to their relevance to the proposal and recommendation made is contained below*

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## **PLANNING CONSIDERATIONS AND ASSESSMENT**

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5. The main issues to consider are whether the proposed advertisements would be detrimental to the character of the building and surrounding area, and the amenity of neighbouring residents, in accordance with the requirements of PPG19 which states that advertisement consent will normally be granted except where an advertisement would be detrimental to amenity or public safety.
6. When determining this application, regard must be had in particular to the size and colour of the proposed signage, and that the intensity of the lighting should not be detrimental to the scale and design of the building on which it is located, or the visual amenity of the street scene, or the residential amenity of occupiers of nearby dwellings; and, that the intensity of the illumination is controlled, where appropriate.
7. In this case, it is recognized that the supermarket is located within an area surrounded by residential developments which may be detrimentally affected from the erection and display of new signage, particularly that which is illuminated, and this is highlighted by responses from both Shildon Town Council and a nearby resident. In addition, a compliant has been received from a neighbouring resident in the past with regards to illumination of the signage, particularly during the evening.
8. However, it is considered that as a result of the nearest directly facing dwellings to the north being over 60 meters from the proposed advert on the northern side of the store entrance, that the advert will replace one of a similar size, the lack of objection from Environmental Health and the fact that a condition can be imposed limiting the hours of illumination, that the proposals are acceptable.
9. It is therefore considered reasonable to condition that the fascia signs are only illuminated whilst the store is open. Due to its location away from the main street frontage no benefits can be gained from having the lights on all night. Such a condition would, it is considered address the adverse affects highlighted by both the Town Council and the neighbouring resident.
10. With such a condition in place it is considered that it is not appropriate to control the intensity of the illumination, and that the signs will still respect the character of the area

and the character of the building. It is considered that they are of a size, style and colour that will not have an adverse impact on the surrounding area.

11. Finally, in terms of public safety, it is not considered that the design and location of the signage will have any adverse impact upon highway safety or public safety generally.

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## **CONCLUSION**

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12. In conclusion, it is considered that the proposed internally illuminated adverts would not cause detriment to issues of amenity in terms of surrounding residents or the character of the host building and surrounding area or to public safety, and as such the proposals accord with advice in PPG19 and Policy D1 of the Local Plan. Approval of the application is therefore recommended subject to the imposition of a condition to restrict the hours of illumination.

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## **RECOMMENDATION**

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That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans: DCC001, DCC002, DCC003.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy D1 of the Sedgefield Borough Local Plan.

2. This consent to display the advertisements is for a period of five years from the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control).

3. Any advertisements displayed and any site used for the display of advertisements shall be maintained in a condition which does not impair the visual amenity of the site.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control).

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

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control).

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5. The signage hereby approved shall only be illuminated between the hours of 8am and 8pm Monday to Saturday and 10am to 4pm on a Sunday.

Reason: In the interests of the amenity of the area in accordance with policy D1 of the Sedgefield Borough Local Plan.

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## **REASONS FOR THE RECOMMENDATION**

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1. In the opinion of the Local Planning Authority the proposed development is considered to accord with Policy D1 of the Sedgefield Borough Local Plan.
2. The main issues addressed include the appearance of the works on the character of the building, and the impact on the amenity of neighbouring properties.
3. The objection from the neighbouring resident and Shildon Town Council were considered to not be overriding in this case and are addressed through the imposition of appropriate conditions.

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## **BACKGROUND PAPERS**

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Submitted Application Forms and Plans

North East of England Plan Regional Spatial Strategy to 2021 (RSS) July 2008

Sedgefield Borough Council Local Plan 1996

Planning Policy Statements / Guidance, PPS1, PPG19

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Response from Shildon Town Council

Response from Environmental Health

Public Consultation Responses

