

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/15/03050/AD
FULL APPLICATION DESCRIPTION:	Display of 9 internally illuminated fascia signs, a 5.885metre totem sign, a welcome sign and a directional sign.
NAME OF APPLICANT:	Mr Adrian Mitchison
ADDRESS:	Bristol Street Motors, Pity Me, Durham.
ELECTORAL DIVISION:	Framwellgate and Newton Hall
CASE OFFICER:	Susan Hyde, Planning Officer, 03000 263961 susan.hyde@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. Bristol Street Motors is an established Vauxhall car dealership garage located to the south of the Arnison Shopping Centre. The site lies within an established employment area in the settlement of Pity Me. The garage fronts onto Abbey Road and exhibits an existing totem sign, directional sign and fascia signs on the building.
2. Advertisement consent is sought for new signage on the garage which replaces the existing totem sign and directional sign and introduces different fascia signs on the garage.
3. The application is being reported to Committee at the request of Framwellgate Moor Parish Council due to parking problems associated with the garage.

PLANNING HISTORY

4. Planning consent granted in 2011 for the erection and display of 10 no. 5m high advertisement flagpoles to front of existing car showroom.
5. Planning consent was granted in 2014 for alterations to the front elevation to create extra floor space to the existing showroom area.

PLANNING POLICY

NATIONAL POLICY

6. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go

ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependant.

7. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles'.

8. In accordance with paragraph 215 of the National Planning Policy Framework, the weight to be attached to relevant saved local plan policy will depend upon the degree of consistency with the NPPF. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of the report below.

9. The following elements of the NPPF are considered relevant to this proposal;

10. Part 1 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

11. Paragraphs 67-68- 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.

LOCAL PLAN POLICY

12. Policy Q16 (Adverts) seeks to ensure that advertisements are suitably designed and do not have an adverse impact on visual amenity or highway safety. Particular attention will be paid to the impact they may have upon the character and setting of listed buildings and the character and appearance of conservation areas.

RELEVANT EMERGING POLICY

13. The County Durham Plan

Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. The County Durham Plan was submitted for Examination in Public and a stage 1 Examination concluded. An Interim Report was issued by an Inspector dated 15 February 2015, however that report was quashed by the High Court following a successful Judicial Review challenge by the Council. As part of the High Court Order, the Council has withdrawn the CDP from examination. In the light of this, policies of the CDP can no longer carry any weight at the present time.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

14. Highway Officer – Has raised no objection to the proposal.

INTERNAL CONSULTEE RESPONSES:

15. None

PUBLIC RESPONSES:

16. Framwellgate Moor Parish Council object to the application as they consider the application along with other previous ones all contribute to the ongoing and still unresolved parking issues in this vicinity which have been highlighted with Durham County Council on many previous occasions.

APPLICANTS STATEMENT

17. The application for advertisement is to obtain consent to display signs on the Vauxhall garage site. The proposed signs are part of a national image update for the Vauxhall Company; replacing existing signs with their new image signs to incorporate a more unified display of Vauxhall garages. The proposed signs will continue to inform potential customers of the location of the site without it being unappealing to the surrounding area. The proposed advertisements would not have an effect on the on-going parking disputes.

PLANNING CONSIDERATIONS AND ASSESSMENT

18. As identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004 the key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF stipulates that advertisements should be subject to control only in the interests of amenity and public safety. In addition the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires Local Planning Authorities to determine applications for advertisement consent in the interests of amenity and public safety, taking into account the provisions of the development plan where material, and any other relevant factors.

Public Safety

19. In relation to public safety, the Highways Authority has been consulted as part of the application and raises no objections. The signs are positioned in order to attract the attention of customers and to inform people of the different operations within the garage site. However the signs are not considered to have an adverse effect as they are satisfactorily positioned on the garage buildings and entrance to the site so that they are not considered to cause a distraction to motorists that would prejudice highway safety.

Amenity

20. The signs are largely replacements of the existing signs on the building. The fascia signs are an appropriate size and design on the building. The totem sign replaces an existing totem sign at the entrance to the site and the amended design, colour and logo is considered appropriate. The amended directional sign is also considered appropriate and replaces an existing directional sign. Therefore, the cumulative effect of the advertisements upon the character and appearance of the area is considered acceptable. These are

established business premises in an existing employment area, and the advertising proposed is considered to be entirely appropriate.

Other Considerations

21. The objection raised by Framwellgate Moor Parish Council relates to their concern that this application along with other previous ones all contribute to the ongoing and still unresolved parking issues in this vicinity. The application submitted is an advertisement application only and the County Highway Officer has clarified that it raises no parking or highway issues. The outstanding concern of the Parish Council with regard to parking is a separate issue to this advertisement application and one that the County Council's Enforcement Officers are currently investigating.

CONCLUSION

22. The proposed signs in the various locations identified are considered to be acceptable in terms of their siting, scale and design. They would not be unduly prominent and are therefore considered to have an acceptable impact on visual amenity of the area and public safety, and the cumulative impact of the signage will not lead to an unacceptable level of clutter on the building.

23. Taking all relevant planning matters into account it is considered that the proposal is acceptable given that it accords with both national and local policy with regard to consideration of proposed advertisements.

RECOMMENDATION

That the application be APPROVED subject to the following conditions;

1. This consent to display the advertisement(s) 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, and saved policy Q16 of the City of Durham Local Plan.

2. The development hereby approved shall be carried out in strict accordance with the following approved plans. Plan References; 1:1250 Site layout plan, Elevation Plan 1, Elevation Plan 2, Totem Sign and Entrance sign, Sign C and D, Directional Sign, Service icon fascia sign. All signs validated on the 9th October 2015.

Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with saved policy Q16 of the City of Durham Local Plan.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

4. No advertisement shall be sited or displayed so as to —

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device for the purpose of security or surveillance or for measuring the speed of any vehicle.

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair visual amenity.

6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

7. 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 for conditions 3 - 7: To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 7 of the NPPF and saved Policy Q16 of the City of Durham Local Plan 2004

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.)

BACKGROUND PAPERS

Submitted application form, plans, supporting documents and subsequent information provided by the applicant.

The National Planning Policy Framework

National Planning Practice Guidance Notes

City of Durham Local Plan 2004

Statutory, internal and public consultation responses

Emerging County Durham Plan

Site Location Plan

