

F/YR18/0902/A

Applicant: Mrs G Peck

Agent :

Poundstretcher, Fenland Way, Chatteris, Cambridgeshire

Display of 1 x internally illuminated fascia sign to shop front and 1 x non-illuminated fascia sign to shop side

This application is an 'other' application.

Reason for Committee: More than 5 letters of objection received which is contrary to officer's recommendation.

1 EXECUTIVE SUMMARY

The application seeks advertisement consent for the display of 2 signs at the Poundstretcher store on Fenland Way, Chatteris. The signage has already been erected and both signs were originally proposed to be illuminated. However, following comments from residents and the Council's Environmental Protection team regarding the level of illumination to the side signage and the adverse impacts this could cause, the proposal has been amended to remove the illuminated element to the side signage. As such, only the shop front signage is now proposed to be illuminated.

The application has been considered in accordance with the development plan and full regard has been had to the comments received. The proposed advertisements are considered to be acceptable in respect of their design, scale and location and would not result in unacceptable harm on amenity or safety.

The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site lies to the west of Chatteris, to the north of the Honeysome Road industrial estate and opposite the residential estates of Larham Way and Gipson Close – separated by the A141 (Fenland Way).
- 2.2 The site comprises a large retail store and car park area. The store has recently been sub-divided into 2 retail outlets. This application relates to the outlet adjacent to the A141 – currently occupied by the discount store, Poundstretcher.

3 PROPOSAL

- 3.1 The application seeks advertisement consent for the installation of 2No. fascia signs. The signage is already in place (erected around March 2018) and an application has been submitted following intervention by the Council's Planning Enforcement Team.

- 3.2 One sign is located above the shop entrance (facing north) and one sign is located on the side of the premises fronting the A141 (facing east). Both signs measure 6.1m in width by 2.0m in height. The shop front signage is positioned 2.8m from floor level and the side signage is positioned 4.2m above the adjacent footpath.
- 3.3 The signs are rectangular comprising a mixture of red and white background to display the company logo.
- 3.4 Both signs were originally proposed as internally illuminated. However, since the submission of the application and following concerns raised by residents and the Council's Environmental Protection team regarding the level of illumination to the side signage and the adverse impacts this could cause, the proposal has been amended to remove the illuminated element to the side signage. As such, only the shop front signage is now proposed to be illuminated.
- 3.5 Following this amendment, the application has undergone a further round of consultations with residents and the Environmental Protection team (see section 5 below).
- 3.6 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR16/1101/F	Variation of condition 2 of planning permission F/YR14/0400/NONMAT (Non-material amendment: Amendment to design etc) involving changes to subdivide building to form two retail units which include variations to Unit 1 only of a new customer entrance to north elevation; concrete ramp to service yard and double door to south elevation and single door to double doors on east elevation Land North Of Honeysome Industrial Estate Fronting Fenland	Withdrawn	18/10/2017
F/YR16/1062/F	Variation of Condition 13 and 18 of planning permission F/YR12/0483/F (Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F - Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works) to increase maximum retail floorspace subdivide building to form two retail units changes to elevations and installation of concrete ramp in service yard Land North Of Honeysome Industrial Estate Fronting Fenland	Granted	08/08/2017
F/YR14/0675/A	Display of 1 internally illuminated sky sign above canopy and 1 internally illuminated double sided gantry sign Land North Of Honeysome Industrial Estate Fronting Fenland	Granted	10/08/2014
F/YR14/0400/NON	Non-material amendment: Amendment to design of windcatchers and addition of walkway on roof; relocation of door on west elevation; insertion of additional door roof ladder and external staircase on south elevation; alterations to lobby and service yard relating to planning permission F/YR12/0483/F (Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F - Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works) Land North Of Honeysome Industrial Estate Fronting Fenland	Approved	23/06/2014
F/YR13/3096/CON	Details reserved by condition 15 of planning permission F/YR12/0483/F (Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F) Land North Of Honeysome Industrial Estate Fronting Fenland	Approved	28/01/2014

F/YR13/3050/CON	Details reserved by Conditions 2 4 5 6 7 8 and 9 of Planning Permission F/YR12/0483/F (Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F) Land North Of Honeysome Industrial Estate Fronting Fenland	Approved	19/12/2013
F/YR13/0389/NON	Non-material amendment: Amendment to location of electricity substation relating to planning permission F/YR12/0483/F (Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F - Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works) Land North Of Honeysome Industrial Estate Fronting Fenland	Approved	21/06/2013
F/YR12/0483/F	Variation of Conditions 13 and 15 of Planning Permission F/YR11/0661/F (Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works) to remove the restrictions on convenience and comparison goods and supplement with a Net Sales Area total and to enable works (other than highway works) to commence Land North Of Honeysome Industrial Estate Fronting Fenland	Granted	18/10/2012
F/YR12/3057/CON	Discharge of Condition 2 of planning permission F/YR11/0661/F (Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works) Land North Of Honeysome Industrial Estate Fronting Fenland	Approved	13/08/2012
F/YR11/0661/F	Erection of foodstore (A1) and petrol filling station builders merchants (B8) with external storage area associated car parking and highway works and re-alignment of part of Fenton Lode Twenty Foot drain and associated engineering works Land North Of Honeysome Industrial Estate Fronting Fenland	Granted	27/04/2012

5 CONSULTATIONS

Chatteris Town Council

- 5.1 Supports the proposal but only if the sign is switched off when the store stops trading. Advises there have been many complaints from local residents about the light glaring through their windows at night.

FDC Environmental Protection

5.2 *Initial proposal*

Advises that the proposal does not meet the current guidance; the levels specified are too high for this type of area.

Following the amendments;

Notes the amended plans and description. Advises that the current proposal should not result in unacceptable harm to the amenity of the area and as such Environmental Health has no objections.

CCC Highways (LHA)

- 5.3 Notes that as the signs are internally illuminated they have no highways objections.

Local Residents/Interested Parties

5.4 Objectors

8 letters of objection received at initial round of consultation raising the following concerns;

- Illuminated sign can be seen from rear of property
- There was never resident consultation for the Jacks sign which is very bright
- Shines through bedroom windows – had to purchase black-out blinds
- Light pollution affects sleeping
- Causes distress to those living in close quarters to the bright Poundstretcher lights
- De-valuing property
- Interferes with the use and enjoyment of home
- Visual impact
- Anti-social
- Will leave precedent for another oversize illuminated sign for Jacks to be added alongside it.
- Questions why the signage is necessary

- 5.5 Whilst 8 letters of objection have been received; some residents have raised no specific objection to the store front signage – only to the side signage front signage.

Two residents raise no objection to the side signage subject to this being switched off during non-daylight hours.

5.6 Other contributions

No letters of support of other representation have been received.

- 5.7 No comments have been received from residents following a re-consultation to notify about the removal of the illuminated element to the side signage.

6 STATUTORY DUTY

- 6.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require a Local Planning Authority to exercise its powers in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material, and any other relevant factors. Amenity can, for example, include general characteristics of the locality. Safety grounds also include highway safety. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Fenland Local Plan 2014 (FLP):
LP15: Highways & Transport
LP16: High quality environments

8 KEY ISSUES

- **Principle of Development**
- **Amenity impacts**
- **Safety impacts**
- **Other matters – resident comments**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP16 supports the principle of advertisements subject to acceptable impacts of the proposal on design, safety and amenity grounds as detailed under criteria (a) to (o) of LP16.

Amenity impacts

- 9.2 Policy LP16 seeks to promote high levels of residential amenity, avoiding adverse impacts through matters such as overshadowing, overlooking, loss of light, light pollution. The NPPF recognises that the quality and character of places can suffer when advertisements are poorly sited and designed.
- 9.3 The signage is located on a building set within an area for retail use and sited directly on the associated building. The signage is therefore seen in the context of the associated retail use.
- 9.4 The building itself is large and the signage is considered to be proportionate to the scale of the building and not out of keeping with the general character of this area. In this regard, the appearance of the signage is acceptable.
- 9.5 As noted, the applicant has amended their proposal following concerns raised by residents and the Council's Environmental Protection team leading to the removal of the illuminated element of the side signage. As such, the following assessment is made for each sign;

Shop front signage

- 9.6 This sign is set above the entrance to the store and set underneath a canopy. It faces north, onto the car park in front. Beyond this to the north is undeveloped land extending approximately 450m until the land becomes developed (Fenland Way, Caravan Site). Due to the distance separation between the site and the caravan site and existing boundary treatments, it is concluded that the advertisement would not adversely harm the amenity of these residents.
- 9.7 To the west and north-west the land comprises open countryside and a solar farm. To the east is residential development which backs onto the A141. It is considered that some views would be achieved from the rear windows of

properties in this location; however, given the distance separation and the signage facing due north, the views of the signage are at oblique angles and therefore do not result in direct light into the rear of these properties.

- 9.8 A resident has commented that the signage for the adjoining retailer, 'Jacks' is bright. The 'Jacks' store incorporates an over-entrance illuminated fascia sign similar to that proposed here and a post-mounted one near to the roundabout. The cumulative impacts of signage must also be considered in terms of their impact on amenity. In this instance, it is concluded that the locations and design of the signage when considered cumulatively with that now proposed would not result in a cluttered appearance or amount to amenity harm through the illuminated aspect. As such, the cumulative impacts of the signage are acceptable.
- 9.9 The same resident also raises concerns in their comments that they were not consulted on the advertisements for 'Jacks'. This is not a material consideration for the purposes of determining this application. Notwithstanding this, a check of the Council's database indicates that the Council followed its statutory duty in respect of consulting on the application.

Shop side signage

- 9.10 Following the amendments, the Council's Environmental Protection team raises no objection to this sign. It is considered that whilst the signage will be clearly seen from the rear of properties, most notably from those directly opposite at Gipson Close and Larham Way, it will be seen in the context of the retail store and would not result in harm to the living conditions of those occupants or those nearby, particularly following the removal of the illuminated element from the scheme.

Safety impacts

- 9.11 The LHA has raised no objection to the proposal and Officers have no reason to believe that the advertisements would compromise highways safety. Furthermore, the location and fixing of the signage does not indicate that the signage would pose a risk to public safety. Notwithstanding this, it would ultimately be the owner's responsibility to ensure that the signage was securely fixed at all times and this is controlled via planning condition as standard with all advertisement applications.

Other matters – resident comments

- 9.12 Whilst it is considered that most resident comments have been addressed above, the following require attention;
- 9.13 *De-valuing property*
The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.
- 9.14 *Anti-social*
It is not certain whether the comments refer to the advertisement being anti-social or could lead to anti-social behaviour. It is considered however that due to the limited harm the signage will cause on residential amenity, this would not lead to social issues.

9.15 *Will leave precedent for another oversize illuminated sign for Jacks to be added alongside it.*
 Each application is considered on its own merits. As stated above, the principle for displaying advertisements is accepted under LP16, subject to certain criteria being met. As such it is not considered that granting these advertisements would set any precedent.

9.16 *Questions why the signage is necessary*
 Paragraph 132 of the NPPF states that:

“Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

As such, Officers interpret this to mean that it is not the role of the LPA to question the rationale or necessity for specific adverts, but instead to consider their physical impacts on amenity and public safety.

10 CONCLUSIONS

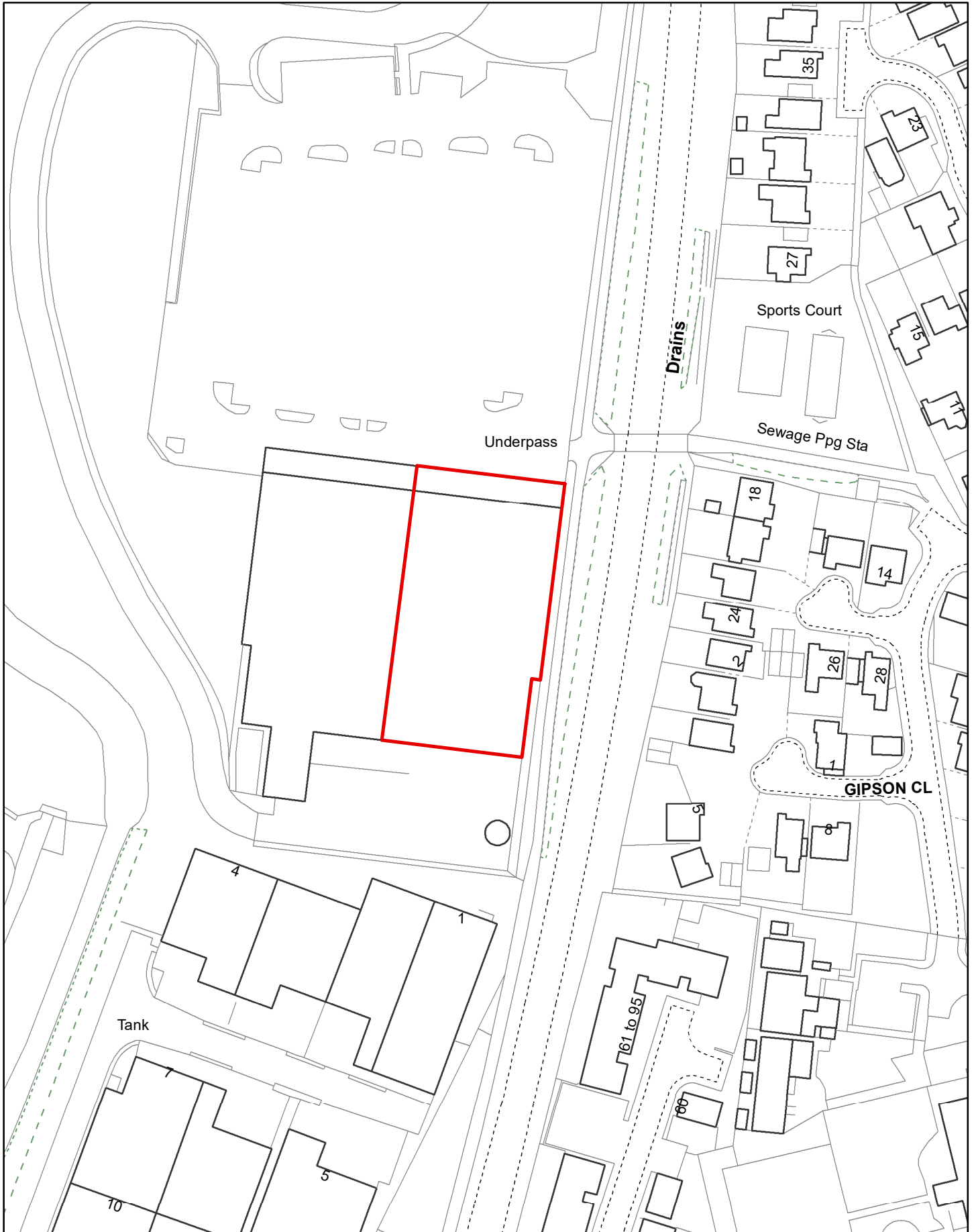
10.1 The application has been considered in accordance with the development plan and full regard has been had to the comments received. The advertisements are considered to be acceptable in respect of their design, scale, location and would not result in unacceptable harm on amenity or safety. As such, the application is recommended for approval.

11 RECOMMENDATION

Grant subject to the following conditions;

1.	<p>The advertisement(s) permitted shall only be displayed for a period of 5 years from the date of this consent. On or before the expiry of this period the advertisement(s) shall be removed unless a further application for renewal is submitted prior to that date.</p> <p>Reason - To ensure compliance with Regulation 15 (2) of the Town and Country Planning (Control of Advertisements) Regulations 2007.</p>
2.	<p>1. 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.</p> <p>2. No advertisement shall be sited or displayed so as to -</p> <ul style="list-style-type: none"> 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 used for the purpose of security or surveillance or for the measuring of speed of any vehicle. <p>3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.</p>

	<p>4. 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.</p> <p>5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.</p> <p>Reason - To safeguard the visual amenity of the area and highway safety in accordance with Policy LP15, LP16 and LP18 of the Fenland Local Plan 2014.</p>
3.	The development hereby permitted shall be carried out in accordance with the approved plans and documents.



Created on: 12/10/2018

© Crown Copyright and database rights 2018 Ordnance Survey 10023778

F/YR18/0902/A

Scale = 1:1,250



FRONT SIGN

6100mm



SIDE SIGN

6100mm



FULLY-ILLUMINATED FLEX BOX



NON-ILLUMINATED FLEX BOX

CLIENT: POUNDSTRETCHER

CHATTERIS SIGNAGE

JOB No.: 1060

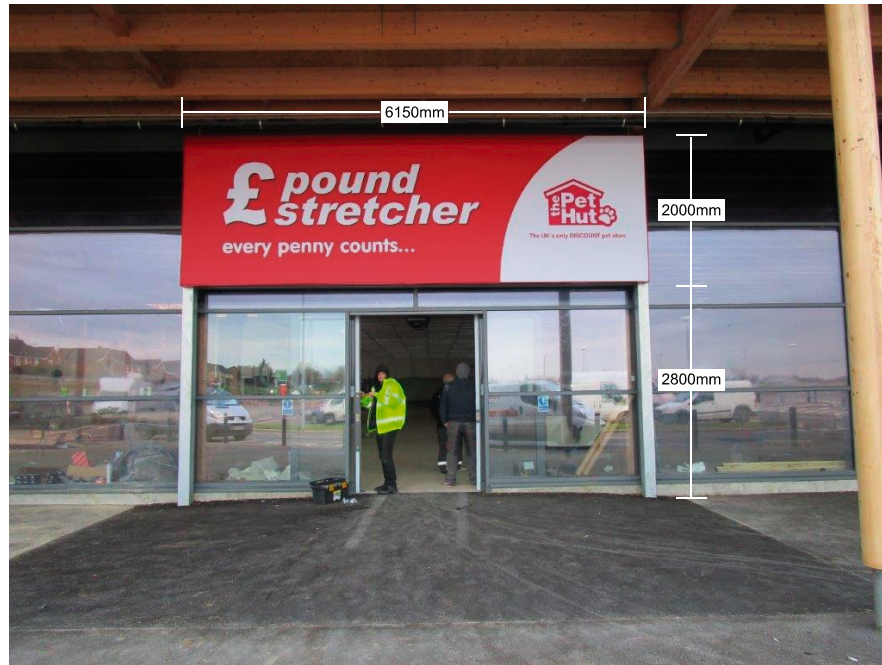
Your Reference: N/A

DATE: 21 NOV 2018

DESIGNER: ELLIOT CORNWELL

SCALE 1 to 100 @ A4

Shop front



Shop side



135mm Deep flex face light box
Constructed from aluminium extrusion
painted red RAL3020
large format digitally printed flex face
WHITE 0.72w led modules (82 lumens per module)

-135mm deep flex face box
-Constructed from aluminum extrusion
-painted red RAL 3020
-large format digitally printed flex face
-non-illuminated