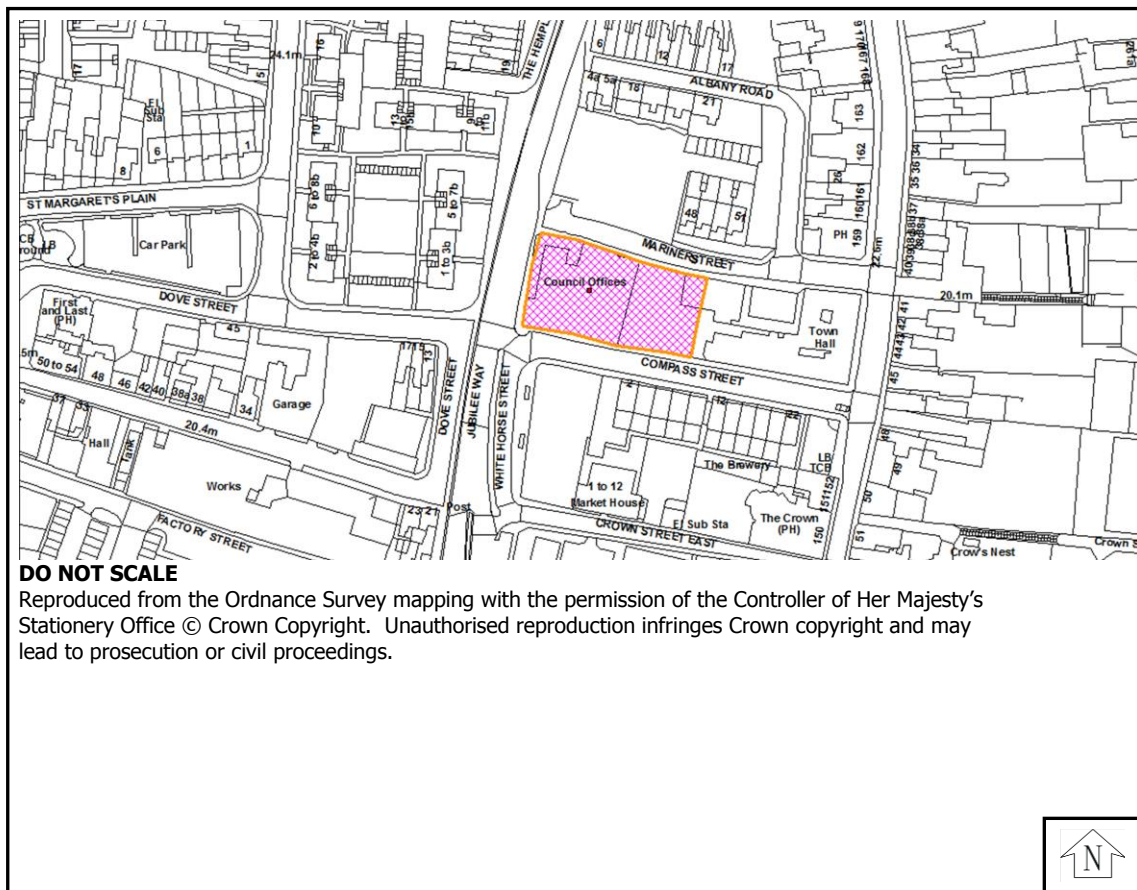


PLANNING COMMITTEE – 11 OCTOBER 2016**APPLICATION NO DC/16/2787/RG3****LOCATION**Former Council Offices
Mariners Street
Lowestoft
Suffolk

EXPIRY DATE 8th September 2016.
APPLICATION TYPE Advertisement Consent
APPLICANT Waveney District Council

PARISH

PROPOSAL Illuminated Advertisement Consent – Provision of internally illuminated fascia and free standing signs and non-illuminated corner poster display panels for a proposed A3 restaurant and with ancillary A5 takeaway.

**1 SUMMARY**

- 1.1 This application was deferred at the meeting held on 24th August 2016.
- 1.2 The application is proposing various illuminated signage in respect of a proposed A3 restaurant with ancillary A5 take-away. The site is in a prominent and sensitive location being adjacent to the Town Hall a grade II listed building and the North Lowestoft Conservation Area.

- 1.3 The proposed 8m high pylon sign is considered inappropriate for the area and is recommended for refusal. Otherwise, the revised proposals, reducing the number of other illuminated signs on the site, is considered acceptable and is recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site is situated between Mariners Street to the north, Compass Street to the south and the A12 Jubilee Way to the west. Immediately to the east is the Town Hall, a Grade II listed building located on the High Street. The Town Hall is located within the North Lowestoft Conservation Area, the boundary of which runs to the immediate west (rear of the Town Hall). Consequently the application site and buildings located on it are outside the Conservation Area boundary. The Town Hall and associated structures are currently vacant.
- 2.2 Within the site are a number of former office buildings associated with the Town Hall. Adjacent to the Town Hall are single and two storey flat roofed prefabricated office buildings dating from the 1970's. In the south western part of the site to the corner of Compass Street and Jubilee Way is a two storey building dating from 1873 known as the Cooper's Building. There is another two storey building fronting Mariners Street of mid to late nineteenth century date that was likely used in conjunction with the Coopers building. Both buildings were converted to offices when single and two storey office buildings were constructed around them in the 1980's.
- 2.3 The site covers an area of approximately 0.21ha and is located near the northern end of the High Street, the most historic part of the town. The High Street alone has 36 grade II listed buildings, one grade II* listed building and 23 locally listed buildings. Along the High Street there is a wide range of traditional, independent retail shops.
- 2.4 To the south of the site is a block of 12 no. flats at Market House on Crown Street and a terrace of 11 recently build houses on Compass Street. At the western end of Compass Street 8 no. terraced houses are currently under construction. To the north is a terrace of 4 no houses on Mariners Street and the former Council car park.

3 PROPOSAL

- 3.1 The proposal is for Burger King for illuminated and other signage for advertising and directing traffic on the site of a proposed A3 restaurant with ancillary A5 take-away. The proposed signage comprises:
- Internally illuminated fascia and free standing signs and non-illuminated corner poster display panels
 - 3 no. acrylic fascia signs 1250mm diameter with internally illuminated brand logo in white, yellow and blue with red lettering 270mm height
 - 400mm high red coloured ribbed aluminium band cladding with LED uplighting
 - 1 no. acrylic internally illuminated fascia sign with aluminium coated band and white lettering 300mm high and 4397mm wide
 - 1 no. free standing monument sign 1830mm high x 1820mm wide with internally illuminated brand logo 1200mm diameter in white, yellow, and blue with red lettering 200mm high on white coloured acrylic face

- 7 no. post mounted, 1 no. height restrictor and 3 no. projecting wall mounted internally illuminated directional and menu board signs for drive thru
- 1 no. pylon sign 8000mm high x 352mm wide with internally illuminated brand logo 1860mm diameter in white, yellow and blue with red lettering 400mm height on white coloured acrylic
- 2 no. corner wall advertising poster display panels on the northwest and southwest corners of the boundary wall with dimension 1875mm x 2700mm

3.2 It should be noted that a separate application has been submitted in respect of the proposed restaurant and drive thru (DC/16/3752/RG3). There is also a separate application for a proposed illuminated totem sign (DC/16/3355/RG3). Both applications are included on the agenda for this meeting.

4 CONSULTATIONS/COMMENTS

4.1 **Neighbour Consultation/representations:** 19 neighbouring properties were notified of the application.

4.2 **Suffolk County Council Highways:** Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

4.3 **Suffolk County Council Lighting Engineer:** At present I would make the following comments with regards to the planning application.

- 1: The application states that all the externally illuminated signs will be lit to 800 cd/m which is too bright

The lighting levels have been shown below and must be adhered too.

PLG05: The Brightness of Illuminated Advertisements.

Illuminated Area (m²)	Zone E1	Zone E2 Villages	Zone E3 Towns	Zone E4 Cities
Up to 10.00	100	400	600	600
Over 10.00	n/a	200	300	300

4.3 **Highways England:** Thank you for your correspondence, received 29 July 2016, notifying Highways England of the above application.

Highways England has no objection to these proposals subject to the following conditions:

1. No part of any sign shall encroach within the highway boundary at any time including during erecting.

2. The illuminated advertisement sign shall comply with the guidance and recommendations of the Institution of Lighting Engineers "Brightness of Illuminated Advertisements" Technical Report No. 5.
3. The proposed lighting must not cause a glare problem to trunk road users.
4. No lighting source (lamps) shall be directly visible, or visible by reflection, to trunk road users.
5. The advertisement must not show any animated pictures.
6. The slide change over shall be at minimum intervals of 30 seconds ie no more than two separate advertisements in any 60 seconds.
7. No images which could be construed or confused with a road sign shall be displayed.
8. The advertisements must not carry telephone numbers, web site or postal addresses.

PUBLICITY

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Adjacent to Listed Building	05.08.2016	25.08.2016	Beccles and Bungay Journal
Adjacent to Listed Building	05.08.2016	25.08.2016	Lowestoft Journal

SITE NOTICES

The following site notices have been displayed:

General Site Notice	Reason for site notice: Adjacent to Listed Building. Date posted 28.07.2016 Expiry date 17.08.2016
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5 PLANNING POLICY

- 5.1 The National Planning Policy Framework (NPPF) was published in March 2012. Section 12 of the NPPF addresses conserving and enhancing the historic environment. In particular paragraph 132 states that great weight should be given to the conservation of designated heritage assets. Any harm or loss should require clear and convincing justification.
- 5.2 The **Core Strategy** was adopted in January 2009. **Policy CS02** requires high quality and sustainable design. In particular proposals should reflect local character and distinctiveness and protect historic character. **Policy CS17** expects development proposals to conserve or enhance the character and setting of conservation areas.
- 5.3 The **Development Management Policies** were adopted in 2011. **Policy DM02** sets design principles for new development, in particular proposals should be sympathetic to the character of a site and the quality of the built environment. **Policy DM30** seeks to protect and enhance the historic environment.

- 5.4 The **Site Specific Allocations Document** was adopted in 2011. **Policy LOW 3** allocates the Town Hall, Council Offices and car parks at Mariners Street and Compass Street for mixed use including student accommodation, offices/studio/creative industries, live-work units (approx. 9 units) and housing (7 units).

6 PLANNING CONSIDERATIONS

- 6.1 Separate applications on this agenda consider the planning application for a proposed restaurant and drive-thru take away on this site (DC/16/3752/RG3) and a proposed illuminated totem sign (DC/16/3355/RG3).
- 6.2 Regulation 3 of the Town and Country Planning (Control of Advertisements) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Factors relevant to public safety include the safety of persons using any highway.
- 6.3 The application site is considered to be in a highly sensitive location as it is within the setting of the Town Hall, a grade II listed building and is adjacent to the North Lowestoft Conservation Area. The site is however allocated for redevelopment by Policy LOW 3. One of the key considerations for the redevelopment of the site, as set down in Policy LOW 3, is that it must be sensitive to the historic value of the site and its surroundings. Policy LOW 3 states:
- 6.4 “The design of new development should be sympathetic to its location, being adjacent to this listed building, on the historic High Street and in the North Lowestoft Conservation Area”.
- 6.5 Proposals are expected to conserve or enhance the character and appearance of conservation areas under local and national planning policies (CS17, DM30 and NPPF – paragraphs 131 and 132).
- 6.6 One of the illuminated signs proposed is an 8m high pylon sign located at the end of Mariners Street, adjacent to the A12 Jubilee Way. It is considered that this sign is excessively high for the location.
- 6.7 Further information with regards to the pylon sign has been submitted by the Agent:
- 6.8 “My clients have now considered that the best interests of the development as a whole would be served by having one central totem sign, placed on the corner of Mariners Street and within Site 2. This will be the subject of a separate application. The ability for the Council to issue a split decision regarding the signage is noted”.
- 6.9 It is considered that at 8m the pylon sign is excessively high for this prominent location and that it would be preferable to have just one pylon sign serving both sites (a planning application for the Mariners Street car park (Site 2) will be considered at a future meeting). Accordingly therefore it is considered that the proposed 8m high pylon sign is not acceptable and should be refused.
- 6.10 With regards to the other illuminated signage it is considered that it would be appropriate to reduce the number proposed given the prominent location of the site and close proximity of the listed Town Hall and adjacent conservation area. Following negotiations the applicant has agreed to eliminate illumination of the height restrictor and directional signs within the site. This means that only the monument sign at the entrance, the menu boards and panels for the drive thru and the pylon sign will be illuminated (although the pylon sign has been replaced by a totem sign in application DC/16/3355/RG3).

- 6.11 Clearly the proposed restaurant on the site is a commercial use where, if it were to be approved, illuminated signage could be expected. The reduction in the number of illuminated signs is welcomed and the number now proposed is considered to be acceptable.
- 6.12 In the interests of the amenity of nearby residential properties it is suggested that if consent is granted all illuminated signage should be switched off when the business is not operating. This can be controlled by an appropriately worded condition.
- 6.13 As will be noted above the Street Lighting Engineer considers the proposed illumination level is too bright. An acceptable brightness level of 600 cd/m is stipulated which can be controlled by condition should the application be approved.

7 CONCLUSION

- 7.1 The application is proposing illuminated signage in respect of a proposed A3 restaurant with ancillary A5 take-away. The site is in a prominent and sensitive location being adjacent to the Town Hall a grade II listed building and the North Lowestoft Conservation Area. As such it is considered that the proposed 8m high illuminated pylon sign is not appropriate. The revised proposal reducing the number of other illuminated signs within the site is considered acceptable. Therefore it is recommended that a split decision be issued refusing the 8m pylon sign and approving the reduced number of other illuminated signs.

8 RECOMMENDATION:

- 8.1 That the 8m high illuminated pylon sign be refused on the following grounds:

- 1. The 8m high pylon sign would by reason of its height, size and position, appear highly prominent and intrusive in the locality. It is considered that this advertisement would therefore have a detrimental impact on the amenity of the area and would be contrary to the aims of policy DM02 "Design Principles" of Development Management (Adopted January 2011) and policy CS02 "High Quality and Sustainable Design" of the Core Strategy (Adopted January 2009).

- 8.2 That advertisement consent be granted subject to the following conditions:

- 1. This consent shall be for a period of five years.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

- 2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the email and revised Drawing Nos BD1422/16 - 200 Rev B and E-2429 - 1A received 12 August July 2016, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

- 3. 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.

Reason: As required by the Town and Country (Control of Advertisement) Regulations in force at this time.

4. 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.

Reason: as required by the Town and Country (Control of Advertisements) Regulations in force at this time.

5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign or so as otherwise to render hazardous the use of any highway.

Reason: In the interests of road safety and the amenities of the area.

6. Notwithstanding the submitted details, the maximum luminance from any of the signs hereby approved shall not exceed 600 candela/m² at any time.

Reason: In the interests of highway safety and the amenities of the area.

7. The proposed lighting must not cause a glare problem to trunk road users and no lighting source (lamps) shall be directly visible, or visible by reflection, to trunk road users.

Reason: In the interests of road safety.

8. All illuminated signage associated with the building shall be switched off when the business is not operating.

Reason: In the interests of amenity.

BACKGROUND INFORMATION:

See application ref: DC/16/2787/RG3 at

www.waveney.gov.uk/publicaccess

CONTACT

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