

Officer Recommendation Report		
Site address: 1193A Melton Road, Syston, Leicestershire, LE7 2JT		
Proposal: Retention of two advertising signs on each side elevation of premises; 1x advertising fascia board and 1x advertising PVC banner. (Retrospective application).	App No:	P/20/0232/2
Officer: Jeremy Eaton	Date of Site Visit:	30 / 06 / 2020

Date of report	02 / 07 / 2020	Date authorised:	06/07/2020	By LM
Application Site & Description of Proposed Development:				
<u>Application Site</u>				
<p>The application site relates to the commercial premises of No. 1193A Melton Road, which is situated to the south-eastern side of Melton Road, located within the Development Limits to the village of Syston, Leicestershire. The application site is also located within the District Centre of Syston.</p> <p>The site is occupied by a two-storey building, which has retrospectively been the subject to a change of use, from retail (Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) at ground floor level and offices (Class B1a of the 1987 Order) at first and second floor levels, to the previous uses except for the addition of a tattoo parlour and beauty clinic (Sui Generis use Class of the 1987 Order) at first and second floor levels respectively. These uses have been in operation since 13th August 2017.</p> <p>The site is served only by pedestrian access off of Melton Road.</p> <p>The application site is located within a Sand and Gravel Mineral Consultation Area (MCA).</p> <p>The application site is located within Flood Zones 2 and 3a.</p>				
<u>Proposed Development</u>				
<p>This application seeks retrospective advertisement consent for the installation of 2 no. non-illuminated banner advertisements to the host building, including 1 no. advertisement to each of the side elevations of the host building.</p> <p>The proposed advertisement to be installed to the north-east elevation will sit approximately 3.5m above ground level. It will measure approximately 2.4m width x 1.2m height, and will project approximately 0.05m from the building line to the north-eastern (side) elevation of No. 1193A Melton Road.</p> <p>The proposed advertisement to be installed to the south-west elevation will sit approximately 4.0m above ground level. It will measure approximately 2.4m width x 1.2m height, and will project approximately 0.05m from the building line to the south-western (side) elevation of No. 1193A Melton Road.</p> <p>The proposed timescale for which advertisement consent is sought is for a temporary period, between 1st December 2019 and 31st November 2029.</p> <p>The application has been accompanied by the following plans, which provide further context in respect of that hereby proposed: Site Location Plan and Drawing No. GH/02 Rev – (Elevations Showing Signage).</p>				
List of relevant Development Plan policies:				
<p>Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 72 (2) of the Town and Country Planning Act 1990 require that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Charnwood Local Plan 2011-2028 Core Strategy (CS) and the saved policies of the Charnwood Borough Local Plan 1999-2006 (LP).</p> <p>Policies relevant to this application include:</p> <p><u>Charnwood Local Plan 2011-2028 Core Strategy</u></p> <ul style="list-style-type: none"> • Policy CS1: Development Strategy; and 				

- Policy CS2: High Quality Design.

Borough of Charnwood Local Plan

- Policy EV/1: Design.

As the Local Plan and Local Plan (Core Strategy) pre-date the NPPF, paragraph 213 indicates that due weight should be given to relevant policies according to their consistency with the NPPF. These policies are considered to be broadly consistent with the aims of the NPPF and, as such, should be given significant weight.

Material planning considerations:

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

National Planning Policy Framework (2019)

National Planning Policy Guidance (PPG)

This document provides additional guidance to ensure the effective implementation of the planning policy set out in the NPPF. The PPG is a web-based resource that is continually updated.

National Design Guide

This document sets out the Central Government's design guidance which is intended to encourage, promote and inspire a higher standard of design in respect of development proposals.

Leicestershire Highways Design Guide

This document sets out the Local Highways Authority's design guidance in respect of highway matters.

Design Supplementary Planning Document (SPD)

This document sets out the Local Planning Authority's design guidance which is intended to encourage, promote and inspire a higher standard of design.

Relevant Planning History:

The application site has been, or is currently, the subject of the following relevant planning history:

- P/09/1906/2 – Sub-division of shop unit and installation of new shop front – Approved (09.11.2009);
- P/15/2023/2 – Erection of first floor extension to building – Approved (27.11.2015); and
- P/20/0231/2 – Change of use of existing retail premises to mixed use class: retail (use class A1), offices (use class B1) and beauty clinic & tattoo studio (use class Sui Generis). Retrospective Application – Pending consideration.

Comments received from Consultees:

Leicestershire County Council (Local Highway Authority): There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.

Comments received from Neighbours:

None.

Any non-planning matters that have been raised:

None.

Consideration and Recommendation:

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Charnwood Local Plan (Core Strategy) and the “saved” policies in the Charnwood Local Plan are therefore the starting point for consideration.

With regards to the assessment of a planning application submitted under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Paragraph 132 of the NPPF states:

“The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

Accordingly, the main issues for consideration in this case relate to the matters of design/amenity and the impact on highway safety. These matters will be explored further, below.

Design/Amenity

The application site is located within the District Centre of Syston.

Paragraph 127 of the NPPF outlines that planning decisions should ensure that developments function well and add to the overall quality of the area, that they are visually attractive as a result of good architecture, layout and that they are sympathetic to local character and history, including the surrounding built environment.

Paragraph 130 of the NPPF outlines that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CS2 of the Charnwood Local Plan (Core Strategy) outlines that the Council *“will require new developments to make a positive contribution to Charnwood resulting in places where people would wish to live through high quality, inclusive design and, where appropriate, architectural excellence. Proposals should respond positively to their context and reinforce a sense of place.”*

We will require new developments to:

- *respect and enhance the character of the area, ...;*
- *protect the amenity of people who live or work nearby ...;*
- *function well and add to the quality of an area, not just in the short term, but over the lifetime of the development;*
- *...”*

“Saved” Policy EV/1 of the Charnwood Local Plan 2004 states:

“The Borough Council will seek to ensure a high standard of design in all new developments. Planning permission will be granted for new development which:

i) respects and enhances the local environment ...;

ii) is of a design, layout, scale and mass compatible with the locality and any neighbouring buildings and spaces;

iii) utilises materials appropriate to the locality;

iv) provides positive and attractive built frontages to existing or proposed public spaces including roads, ...;

v) safeguards important viewpoints, landmarks and skylines;

vi) ...

vii) safeguards the amenities of adjoining properties, ...”

In this case, it is considered that the proposed (retrospective) advertisements would be acceptable in design terms and would be in keeping with the character and appearance of the host building, and in context of the District Centre and the wider local area, including to the streetscene of Melton Road.

By virtue of the nature of that proposed, it is considered that the proposed (retrospective) development would not unduly affect the amenities of neighbouring occupants, both residential and commercial, in any way.

Accordingly, and subject to relevant planning conditions, it is considered that the proposed advertisement would be in accordance with the relevant provisions of Policy CS2 of the Charnwood Local Plan (Core Strategy), "saved" Policy EV/1 of the Charnwood Local Plan 2004. Furthermore, it is considered that the proposed advertisement would be in accordance with the relevant provisions of the NPPF.

Impact on highway safety

The proposed (retrospective) advertisements are located within close proximity of the carriageway of Melton Road.

Paragraph 109 of the NPPF states:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Leicestershire County Council (Highways) were consulted in connection with this planning application. The consultation response received outlines that the Local Highways Authority raise no objection in respect of the proposed development, and they outline no concerns in respect of matters of highway safety.

Accordingly, in the absence of any objection being raised by the Local Highways Authority, and subject to relevant planning conditions, it is considered that the proposed development would not result in any adverse impact in respect of matters of highway safety. Accordingly, it is considered that the proposed development would be in accordance with the relevant provisions of Paragraph 109 of the NPPF.

Conclusion:

The proposed advertisement would be in keeping with the character and appearance of the host building on-site and in terms of the wider built context, including the District Centre of Syston and the streetscene along Melton Road. The proposed advertisement would result in no adverse harm in context of the amenities of the neighbouring commercial/residential properties, or in context of the amenity of the wider local area. Furthermore, the proposed advertisement would not result in any adverse harm in respect of matters of highway safety.

Accordingly, it is considered that the proposed development would be in accordance with the relevant provisions of Policies CS1 and CS2 of the Charnwood Local Plan (Core Strategy) and "saved" Policy EV/1 of the Charnwood Local Plan. Furthermore, it is considered that the proposed development would be in accordance with the relevant provisions of the NPPF.

Recommendation:

Approval subject to Planning Conditions and Informative Notes (see below).

Planning Conditions/Informative Notes:

Planning Conditions:

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. 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 used for the purpose of security or surveillance or for measuring the speed of any vehicle. 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. 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. 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.

Reason: To accord with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. This consent shall expire on 31st November 2029.

Reason: To accord with Regulations 14 (7) and (8) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. The consent shall be carried out in accordance with the following approved plans:

Site Location Plan and Drawing No. GH/02 Rev – (Elevations Showing Signage).

Reason: For the avoidance of doubt.

Officer recommendation report (revised December 2019)