

**Application Number: 16/02181/ADV
Other**

Advertisement consent for multiple signs, including 2 x fascia signs, 1 x totem sign and 1 x banner sign

AT Foodstore South of, Texel Close, Oakridge Park

FOR Asda Stores Ltd

Target: 3rd October 2016

Ward: Stantonbury

Parish: Stantonbury Parish Council

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1.0 INTRODUCTION

(A brief explanation of what the application is about)

- 1.1 The main section of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together, planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application, including plans, supplementary documents, consultee responses and public representations are available on the Council's Public Access system www.milton-keynes.gov.uk/publicaccess. All matters have been taken into account in writing this report and recommendation.
- 1.2 The application is before the Members of the Panel at the request of Councillor Walker.
- 1.3 **The Site**
- 1.4 The application site is located on the corner of Newport Road and Selkirk Drive within the Oakridge Park development on the north east edge of Milton Keynes. The site is bordered by a Country Park to the west, Stantonbury and Bradville to the south and residential development to the north and east.
- 1.5 The site is accessed via Selkirk Drive and is located on a prominent corner. A total of 530 dwellings were permitted under outline planning permission 05/01429/OUT and Reserved Matters consents for the detailed housing layouts were permitted under 7 phases which are now fully constructed. Under the original outline planning permission a mixed use Local Centre was

permitted which included use classes A1-A5, B1 and D1.

- 1.6 Planning permission reference 12/02111/FUL permitted the completion of the Local Centre comprising of one supermarket (use class A1), five mixed use units (use classes A1, A2, A3, A5 and B1/D1), eight residential dwellings, associated car parking and landscaping and 3 bus stops (2 on Newport Road and 1 on Selkirk Drive). It is within this local centre that the application site is located. The ASDA store the subject of this application has been constructed under this permission.

Areas of Special Advertisement Control

- 1.7 Areas of Special Advertisement Control are areas which have been specifically defined as such by the local planning authority because they consider its scenic, historical, architectural or cultural features are so significant that a stricter degree of advertisement control is justified in order to conserve visual amenity within that area. Legislation requires that Areas of Special Advertisement Control are to be rural areas or other areas which appear to require special protection on grounds of amenity.
- 1.8 Two-thirds of Milton Keynes Borough is open countryside, and as such it is protected, via a blanket approach, as an Area of Special Control of Advertisements. The remaining third comprises the New City of Milton Keynes.
- 1.9 In this case the application site is defined as an area of special advertisement control. Since that designation, there has been a material change in circumstances. The site has been identified in the Saved Milton Keynes Local Plan 2001-2011 as a strategic housing site and local centre; development which is now built out. The site can no longer therefore be considered rural in character and the reason for designating the site as an Area of Special Advertisement Control is no longer valid. The weight afforded to the area of special advertisement control designation must therefore be balanced against the material change in circumstances.

1.10 The Proposal

- 1.11 The proposal the subject of this application seeks Advertisement Consent under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

- 1.12 Advertisement consent was sought for signage to serve the ASDA store under advertisement consents references 16/00877/ADV and 16/01690/ADV. The applications were approved but reference 16/00877/ADV was subject to a condition withholding permission for four of the signs for the following reason:

- 1.13 The adverts, by virtue of their size (all), location (all) and levels of illumination (L2 & T1) would create a proliferation of signage, dominant in the surroundings and at odds with the residential character of the area. The

adverts would be contrary to Saved Policy D1 (iii) of the Milton Keynes Local Plan 2001-2011 and Policy CS13 of the Milton Keynes Core Strategy 2013.

1.14

This application proposes to amend the refused signage in order to address the concerns previously raised. Specifically;

- The roof sign (L2) has been relocated to the fascia of the building facing Newport Road.
- The totem sign (T1) at the junction of Selkirk Drive and Newport Road has been reduced in height from 5 metres to 3 metres.
- All illuminated signs have been reduced to 600 candelas per m2 to accord with guidance.
- The banner sign (MCS6) adjacent to the country park has been removed.
- However, the applicant has chosen to retain the banner sign adjacent to Selkirk Drive

2.0 RELEVANT POLICIES

(The most important policy considerations relating to this application)

2.1 National Policy

National Planning Policy Framework 2012

Paragraphs 11-16: Presumption in favour of sustainable development

Section 4: Transport

Section 7: Design

Paragraphs 186 & 187: Positive approach to decision taking

Paragraphs 196 & 197: Determining applications

Paragraphs 203 and 206: Conditions

2.2 Local Planning Policy

Milton Keynes Core Strategy 2013

Policy CSA: Presumption in favour of sustainable development

Policy CS13: Ensuring High Quality, Well Designed Places

2.3 Milton Keynes Local Plan 2001-2011

Policy D1(iii, iv): Impact of Development Proposals on Locality

Policy D2A: Urban Design

2.4 Supplementary Planning Document

Outdoor Advertising Policy 2005

2.5 Other Guidance

Institute of Lighting Engineers Technical Note number 5 now Guidance Notes

for the reduction of obtrusive light by the Institution of Lighting Professionals

3.0 MAIN ISSUES

(The issues which have the greatest bearing on the decision)

3.1 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

3.2 Unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused. Therefore, the main issues to consider are:

- i. Amenity
- ii. Public safety

4.0 RECOMMENDATION

(The decision that officers recommend to the Committee)

4.1 It is recommended that Advertisement Consent be granted subject to the conditions set out at section 6 of this report.

5.0 CONSIDERATIONS

(An explanation of the main issues that have led to the officer Recommendation)

5.1 Amenity

5.2 Saved Policy D2A (i) of the Milton Keynes Local Plan 2001-2011 (hereafter referred to as the Local Plan) and Policy CS13 of the Core Strategy 2013 (hereafter referred to as the Core Strategy) require applications to be refused where unacceptable visual intrusion will accrue as a result of development proposals.

5.3 The adverts are all located within a local centre associated with a newly constructed residential development located immediately adjacent. It is therefore considered important to maintain an appropriate balance between residential and commercial uses, particularly given their close proximity.

5.4 All of the proposed advertisements will be readily visible in the context of the building and the surroundings given the exposed location of the building within a local centre and adjacent to busy road junctions at the entrance to a residential estate.

5.5 However, the sign previously proposed to be sited on the roof of the building will now be located on the fascia of the building and is considered to be appropriately proportioned in relation to the host building. The sign would be visible but not overly intrusive in the surroundings.

5.6 Sign T1 is an externally illuminated (only the Asda logo) tri-post totem sign which has been reduced in height from 5 metres to 3 metres. It would be

located in a visually prominent position immediately adjacent to the junction of Newport Road and Selkirk Drive. Whilst distant from the supermarket building the sign would nevertheless be seen against the backdrop of the building thus ensuring an appropriate visual link to the local centre. On that basis the sign would not be out of character in the context of a local centre.

- 5.7 Sign MCS3 is over 6 metres in length. However, the sign is of a relatively low height and its location around the perimeter of the site means it will be softened by a previously approved landscaping scheme which includes the planting of trees in strategic locations around the perimeter of the site. In addition, the removal of another banner sign adjacent to the country park ensures that previous concerns about a proliferation of advertisements are quelled.
- 5.8 With regard to illumination, the Outdoor Advertising Policy Supplementary Planning Document refers to the Institute of Lighting Engineers Technical Note number 5 which gives recommendations for maximum luminance in different types of areas. The Technical Note is now out of date having been replaced by the 'Professional Lighting Guide 05 – Brightness of Illuminated Advertisements' and Guidance notes for the reduction of obtrusive light by the Institution of Lighting Professionals. These documents are the latest nationally accepted guidance on such matters and advise that signs be no more than 600 candelas per square metre in these locations.
- 5.9 The level of illumination proposed for the illuminated signs is now 600 candelas per square metre (reduced from 1000). The Environmental Health Officer has been consulted and raises no objection to the scheme in terms of light intrusion. The proposed level of illumination would be acceptable.
- 5.10 The applicant has also requested that the hours of illumination are increased to allow a one hour buffer either side of opening hours. Given the site context as described above this is not considered to represent an unreasonable request and is recommended to be incorporated into a condition on any advertisement consent as set out in section 6 of this report.
- 5.11 The proposed adverts would accord, from an amenity perspective, with Saved Policy D2A (i) of the Milton Keynes Local Plan 2001 – 2011 and Policy CS13 of the Core Strategy.
- 5.12 Public safety
- 5.13 The Milton Keynes Outdoor Advertising Policy Supplementary Planning Document and national planning practice guidance notes require highway safety to be considered.
- 5.14 The signs are considered to be appropriately located and are of a scale not to impinge on the local road network. The Highway Engineer has raised no objection to the proposed signage subject to conditions being imposed on any advertisement consent requiring luminance levels to not exceed the recommended levels as set by the Institute of Lighting Professionals as

outlined in paragraph 5.8 of this report. A condition should be imposed on any advertisement consent to restrict luminance levels to 600 candelas. The proposed signage is considered acceptable in this regard.

5.15 Conclusion

- 5.16 It is recommended that Advertisement Consent be granted subject to the conditions set out at section 6 of this report.

6.0 **CONDITIONS**

(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable)

1. This permission shall be for a limited period of 5 years only, expiring on the 30th September 2021. On or before that date the advertisements shall be removed and the building (land) reinstated.

Reason: To prevent an unsatisfactory form of permanent display.

2. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land);

No advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport;

Any advertisement must be maintained in a condition that does not impair the visual amenity of the site;

Any advertisement hoarding or structure is to be kept in a condition which does not endanger the public; and

If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.

Reason: To prevent an unsatisfactory form of permanent display in accordance with Saved Policy D2A (i) of the Milton Keynes Local Plan 2001-2011 and Policy CS13 of the Milton Keynes Core Strategy 2013.

3. The illuminated advertisements hereby permitted shall at no time exceed 600 candelas unless otherwise agreed in writing by the Local Planning Authority (supported by technical justification which should accord with Professional Lighting Guide 05 – Brightness of Illuminated Advertisements’ and Guidance notes for the reduction of obtrusive light by the Institution of Lighting Professionals).

Reason: In the interests of visual and residential amenity and highway safety in accordance with Policy D2A (i) of the Milton Keynes Local Plan 2001-2011

and Policy CS13 of the Milton Keynes Core Strategy 2013.

4. The illuminated adverts hereby permitted shall be switched off in their entirety outside of the following hours; 05:00-00:00 Monday-Saturday and 09:00-18:00 on Sundays.

Reason: In order to protect visual and residential amenity in accordance with Saved Policy D1 (iii, iv) of the Milton Keynes Local Plan 2001-2011 and Policy CS13 of the Milton Keynes Core Strategy 2013.

Appendix to 16/02181/ADV

A1.0 RELEVANT PLANNING HISTORY

(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)

A1.1 16/00877/ADV

Advertisement consent to 5 fascia signs, 12 freestanding signs and 4 vinyl graphics to glazing (Signs L2, T1, MCS3 & MCS6 omitted by condition)
ADVERTISEMENT CONSENT GRANTED (Split decision) 02.08.2016

A1.2 16/01690/ADV

Advertisement consent for vinyl graphics to store cladding (south elevation)
ADVERTISEMENT CONSENT GRANTED 17.08.2016

A2.0 ADDITIONAL MATTERS

(Matters which were also considered in producing the Recommendation)

A2.1 None

A3.0 CONSULTATIONS AND REPRESENTATIONS

(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)

Comments	Officer Response
A3.1 <u>British Waterways</u> No comments to make	Noted
A3.2 <u>Environmental Health Manager</u> No objection	Noted
A3.3 <u>Parish - New Bradwell</u> No comments received	Noted
A3.4 <u>Parish - Stantonbury</u> Object to the application on the grounds of a proliferation of signage fronting Selkirk Drive.	Noted
A3.5 <u>Ward - Wolverton - Cllr Miles</u> No comments received	Noted
A3.6 <u>Ward - Wolverton - Cllr Middleton</u> No comments received	Noted

A3.7 Ward - Wolverton - Cllr Marland Noted

No comments received

A3.8 Ward - Stantonbury - Cllr Burke Noted

No comments received

A3.9 Ward - Stantonbury - Cllr Petchey Noted

No comments received

A3.10 Ward - Stantonbury - Cllr Walker Noted

Called application in to be determined by Development Control Panel.

A3.11 Local Residents Noted

A site notice was placed at the entrance of the site and the occupiers of the following properties have been consulted:

20 Kerry Hill, Oakridge Park, Milton Keynes
9 Cheviot Gardens, Oakridge Park, Milton Keynes
16 Selkirk Drive, Oakridge Park, Milton Keynes
38 Selkirk Drive, Oakridge Park, Milton Keynes
5 Penning Close, Oakridge Park, Milton Keynes

At the time of writing this report one representation has been received from the occupiers of 16 Selkirk Drive objecting to the application on the grounds that the totem

sign is in appropriately located in the context of a residential area.