

**TESCO EXPRESS,
132 London Road, Rayleigh, SS6 9BN**

Planning Statement

Advertisements

August 2011

PREPARED BY

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Quality Standards Control

The signatories below verify that this document has been prepared in accordance with our quality control requirements. These procedures do not affect the content and views expressed by the originator.

This document must only be treated as a draft unless it is has been signed by the Originators and approved by a Business or Associate Director.

DATE
August 2011

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Limitations

This document has been prepared for the stated objective and should not be used for any other purpose without the prior written authority of GL Hearn; we accept no responsibility or liability for the consequences of this document being used for a purpose other than for which it was commissioned.

1 INTRODUCTION

- 1.1 GL Hearn have been instructed by Tesco Stores Limited in connection with planning advice relating to the prospect of displaying advertisements at a site in the jurisdiction of Birmingham City Council.
- 1.2 The unit subject to this application is located at a new retail unit identified as 132 London Road, Rayleigh, SS6 9BN, and is intended to be occupied by a Tesco Express convenience store.
- 1.3 The Planning Statement sets out the description of the site, its brief planning history and the relevant planning policy framework pertinent to the proposal. This statement sets out the design concept utilised in the scheme and design and access issues relevant to the proposals.
- 1.4 In addition to this statement, the application is accompanied by the following:
 - Elevation Plans – Archers Architects
 - Application forms
 - Land Ownership Certificates (Including Notice 1)
 - Agricultural Holding Certificate

2 SITE & SURROUNDING AREA

- 2.1 The site is located to the northern side of London Road at the junction with Vernon Avenue. The site is currently occupied by an existing retail unit which is to be demolished following the grant of planning permission in March 2011.
- 2.2 The surrounding land use is primarily residential in nature with two storey residential semi-detached properties located to the east and west of the application site on both London Road and Vernon Avenue.
- 2.3 The replacement building will extend to one and a half storeys although largely consists of a single storey building as per the existing building. The property will be situated towards the rear of the site adjacent to a rear residential garden to the west and a residential garage and driveway to the north.
- 2.4 The site benefits from a surface level car park fronting London Road. There is a clear building line to the west of Vernon Avenue fronting London Road however this building line is moved much closer to London Road to the east of Vernon Avenue.



Figure 1 – Aerial photograph of site

- 2.5 The vehicular access to the site is currently formed from two crossovers via London Road and Vernon Avenue. There is a footpath fronting the site which lies outside of the landlords demise (as identified at **Figure 1** of this Statement).

3 SITE HISTORY

3.1 The relevant planning applications pertinent to this proposal are identified below:

- 92/00565/FUL – Demolish existing and erect shop with two flats over – REFUSED (Nov 92)
- 93/00008/FUL – Vehicular crossover – GRANTED (Feb 1993)
- 04/00466/FUL – New shopfront with electric roller shutter - REFUSED (Aug 04)
- 04/01058/FUL – New shopfront – GRANTED (Jan 05)
- 05/00052/ADV – Internally and externally illuminated sign – GRANTED (Mar 05)
- 05/00802/OUT – Demolish annex to off licence and erect 3 bed house – REFUSED (Nov 05)
- 09/00746/FUL – Single storey side and rear extensions – GRANTED (Mar 10)
- 10/00659/FUL – Demolish existing building and construct single storey A1 retail unit with ancillary car parking – REFUSED (Dec 10)
- 2011/00018/FUL - Erection of a single storey A1 (convenience goods) retail unit with ancillary car parking provision for 6 no. vehicles (including 1 no. disabled car parking bay)" – GRANTED (March 2011)

Planning Application Reference: 10/00659/FUL

3.2 Planning permission was refused under delegated powers on 23 December 2010. The Decision Notice identifies a single reason for refusal – as follows:

"The proposal by way of the design and appearance of the building is considered unattractive and to a poor designed form, as viewed from both the principal aspects on to London Road and Vernon Avenue to the detriment of the visual amenity afforded to the street. Furthermore the depth of the eastern flank wall immediately abutting the eastern boundary, to the proposed height, is considered harsh upon the appearance of the street and unwelcoming. If allowed the development would result in a scheme of undesirable appearance in a prominent location, to the detriment of visual amenity, character and appearance of the street. The development is considered contrary to advice contained within PPS1 and PPS4."

3.3 The Officers report to planning application 10/00659/FUL confirmed that the key issues related to the following:

- Design and appearance

- Depth coupled with proposed height

3.4 Concerns over the car parking layout were also identified by the Council, however it was concluded that the eventual layout could be controlled by way of planning condition should a further application be pursued.

Planning Application Reference: 2011/00018/FUL (resubmission of 10/00659/FUL)

3.5 Planning permission was approved under delegated powers in March 2011 following various discussions with the Council Planning Officers both prior to and during the course of the application process.

3.6 A total of 8no. planning conditions were attached to the approval of which 3no. require prior approval. These conditions are currently being discharged by the landlord.

3.7 The following conclusions can be made from considering the planning history:

- The existing and recently approved retail unit benefits from an 'open' A1 use whereby there are no planning restrictions over the sale of any retail goods.
- The recently approved retail unit is able to trade between the hours of 0700-2300 Monday to Sunday – including Bank and Public Holidays.
- The recently approved retail unit is able to accommodate deliveries between the hours of 0700-2300 Monday to Sunday – including Bank and Public Holidays.

3.8 It should be made clear that there are no trading or delivery restrictions with respect to the existing, longstanding use.

4 APPLICATION PROPOSAL

- 4.1 This planning application seeks permission for the display of 3no. externally illuminated fascia signs and 1no. externally illuminated projecting sign.
- 4.2 The fascia signs will be located along the principal (south western) and south eastern elevation and will be broken up by the retained columns permitted under planning application 2011/00018/FUL– as identified at **Figure 2** below.
- 4.3 The externally illuminated projecting sign will measure 800mm x 650mm and will be located along the principal elevation of the building.
- 4.4 The luminance of the signage will not exceed 300cd/m².



Figure 2 – Proposed suite of advertisements (Principal elevation)

- 4.5 Separate applications for an ATM, bollards and a solar panel have been submitted independently of this application.

5 PLANNING POLICY

National Planning Policy

5.1 The following national planning policy and guidance has been considered in respect of the application:

- PPS1: Delivering Sustainable Development (2005)
- PPS4: Planning for Sustainable Economic Growth (2009)
- PPG19: Outdoor Advertisement Control (1992)

5.2 The advertisement consent is submitted in accordance with the requirements of the Town & Country Planning (Control of Advertisements) Regulations 2007 adopted 6 April 2007.

5.3 Planning Policy Guidance Note 19: Outdoor Advertisement Control (PPG19) sets out the criteria of which all outdoor advertisements should adhere to in order to gain planning permission.

5.4 The two key considerations in controlling outdoor advertisements are 'amenity' and 'public safety'.

5.5 In assessing an advertisement's impact upon 'amenity', paragraph 11 of PPG19 states that the LPAs should have regard to '*...its effect on the appearance of the building or on visual amenity in the immediate neighbourhood where it is to be displayed.*'

5.6 With regard to the considerations of 'public safety', paragraph 15 of PPG19 states that '*...LPAs are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water, or in the air.*'

Rochford District Replacement Local Plan (adopted 2006)

5.7 The Rochford Local Plan was adopted in 2006. The relevant policies to the proposal will be considered in turn below

5.8 For the purposes of considering this planning application it is identified that the site is located within the Limits of Built Development. The site does not lie within a conservation area or other area protected for its architectural integrity or heritage.

Strategic Policies

- 5.9 **Policy CS2** (Protecting and Enhancing The Built and Natural Environment) – states that it is the Council's aim to protect, sustain and enhance the district's natural resources and cultural heritage through the application of the policies and proposals in the plan for future generations to enjoy and to ensure that new development contributes to environmental quality.
- 5.10 **Policy CS5** (Encouraging Economic Regeneration) – identifies that it is the Council's aim to:
- a. *“Work with partners to consolidate the local economy and attract new investment; and*
 - b. *Allocate land for industrial and commercial uses, whilst striving to maintain and enhance the vitality and viability of the town and village centres as attractive places to visit and shop”*
- 5.11 **Policy CS6** (Promoting Good Design and Design Statements) – States that it is the Council's aim to encourage good quality design which:
- a. *“Takes into account the existing form and character of the site and its surroundings;*
 - b. *Relates to the locality in terms of scale, layout, proportion, materials and detailing;*
 - c. *Includes landscaping arrangements which reduce the visual impact of and positively enhance the proposal and its surroundings;*
 - d. *Minimises the risk of crime; and*
 - e. *Provides adequate space for the storage, recycling and collection of waste”*

Built Environment

- 5.12 **Policy SAT8** (Shopfronts: Design & Security) – States that shopfronts should be designed to complement the style and proportions of the affected building, and to those adjoining it. Shopfront designs should also incorporate any features necessary to ensure the security of the premises, and its contents.
- 5.13 **Policy SAT9** (Advertisements: General District-Wide Policy) – States that advertisements should be designed and sited such that they relate to the character of the buildings on which they are displayed as well as the surrounding area. Regard will be had to the location, size, materials, design, intensity of illumination and relationship with the buildings to which they are attached.

- 5.14 **Policy SAT11** (Advertisements: Visual Clutter) – Identifies that the Local Planning Authority will exercise strict control to prevent a proliferation of advertisements on any one building or site.

Supplementary Planning Documents

- 5.16 The following Supplementary Planning Documents produced by the Council are also relevant:
- SPD4 - Shop Fronts Security & Design

Emerging Local Development Framework

- 5.17 The Core Strategy has been submitted to the Secretary of State for independent examination.
- 5.18 Following a response to the Inspector's letter, the Council will now produce additional Topic Papers on issues resulting from changes to government policy; a schedule of proposed changes to the Core Strategy; and a Sustainability Appraisal of these changes.
- 5.19 These documents will then be subject to a period of consultation, before being submitted to the Inspector for consideration as part of the Core Strategy examination.

6 BENEFITS OF THE SCHEME

- 6.1 It is important to note that an A1 use at this site is long established and is not to be disputed under this planning application. Furthermore that the 'end user' (or occupier) is not a planning consideration. The principle of an A1 use and therefore an active frontage is established.
- 6.2 It should also be noted that the Council have previously accepted both internally and externally illuminated fascia and projecting signage – including those last in situ at the existing site.
- 6.3 The development provides a fully compliant design solution for advertisements at a retail unit within this location. Furthermore the proposed design has been considered after reviewing the potential impact of the development on the design and amenity of the surrounding area, and the public safety, in particular issues relating to highway safety.
- 6.4 The signage would neither dominate over nor compete with the main building by virtue of their size and bulk and the combined visual impact would not be read as an over proliferation of activity. This view of subservience is reinforced further when compared against the bulk of the building on which the advertisements will sit.
- 6.5 The fascia adverts and projecting sign, are individually and collectively commensurate to the size of the retail unit and appear proportionate to the immediate surroundings. As such, the proposed advertisement design would positively contribute to the identity of the area already associated with an established service sector function. This view is reinforced further as the adverts will be replacing existing externally illuminated signage associated with the former use.
- 6.6 The retention of the pillars as part of the shopfront also seeks to break up the fascia adverts and thus seeks to retain the character of the recently consented building.

7 SUMMARY AND CONCLUSIONS

- 7.1 It is concluded that the development meets the requirements of national and local policy by providing a sympathetic and proportionate form of development that would not appear incongruous within the context of the site and would not adversely impact upon the amenities of immediate residential occupiers. As importantly the development would not impact upon highway safety as per the requirements of PPG19 and the policies held within the adopted UDP.
- 7.2 In light of the above the Council are urged to grant advertisement consent.