

TWC/2019/0235

Wm Morrison Supermarkets Plc, Gresham Drive, Newdale, Telford, Shropshire, TF3 5ES
Installation and display of 11no. non-illuminated parking information signs

APPLICANT

Wm Morrison Supermarkets plc

RECEIVED

19/03/2019

PARISH

Lawley and Overdale

WARD

Ketley and Overdale

THIS APPLICATION WAS DEFERRED AT PLANNING COMMITTEE ON 3rd JULY 2019 TO AWAIT THE DETERMINATION OF THE APPEAL AGAINST THE DECISION TO REFUSE PLANNING PERMISSION FOR THE INSTALATION OF THE ASSOCIATED AUTOMATIC NUMBER PLATE RECOGNITION CAMERAS.

1.0 UPDATE FOR COMMITTEE MEMBERS

- 1.1 This application was deferred at the planning committee meeting on 3rd July by Members. This application is for the display of 11no. Advertisements to advertise the presence of Automatic Number Plate Recognition (ANPR) Cameras within the site.
- 1.2 A previous planning application was submitted to the Local Planning Authority in 2018 for the erection of a pole and ANPR camera, which was subsequently Refused Planning Permission against which the Applicants lodged an appeal to challenge the Council's decision. This current signage application was deferred at the committee meeting on 3rd July so that Members could wait to hear the outcome of the appeal for the ANPR cameras.
- 1.3 The Appeal decision has now been made, and the Planning Inspectorate has allowed the appeal, therefore planning permission for the ANPR cameras and associated pole has been granted.
- 1.4 The Local Planning Authority therefore maintains the 11no. Signs proposed would be necessary to serve their purpose and will not cause any significant detrimental impacts upon the square in terms of highway safety or pedestrian safety. Also, the signs proposed would not have a negative impact on the character of the area or harm visual amenity. On balance, the Local Planning Authority considers the signs proposed can be supported and are in accordance with Telford & Wrekin Local Plan policies EC10 and BE1, and comply with national guidance contained within the NPPF.

2.0 RECOMMENDATION

- 2.1 The recommendation to the to the Planning Committee on this application therefore remains that **DELEGATED AUTHORITY** is granted to the Development Management Service Delivery Manager to **GRANT ADVERTISEMENT CONSENT** subject to the following:
 - a) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s):

A04	Time Limit
C38	Development in Accordance with the Approved Plans
E01	Advertisement standard
I40	Conditions
I45	Reasons for Advertisement Consent
RANPPF1	Approval – National Planning Policy Framework

*****ORIGINAL COMMITTEE REPORT*****

LAWLEY & OVERDALE PARISH COUNCIL HAS REQUESTED THAT THIS APPLICATION BE DETERMINED BY MEMBERS OF THE PLANNING COMMITTEE

1.0 SUMMARY RECOMMENDATION

1.1 Grant Advertisement consent subject to Condition(s) and Informative(s)

2.0 APPLICATION DETAILS

2.1 This application is for the erection of 11No. Advertisements on the car park adjacent to the Morrisons supermarket in Lawley. Five different types of signs are proposed, all non-illuminated, namely:

- 7 Signs (2 Differing Types) measuring 0.7 x 0.9 metres;
- 2 Signs (2 Differing Types) measuring 0.3 x 0.7 metres;
- 2 Signs measuring 0.45 x 0.45 metres.

2.2 The submitted plans indicate that the proposed signage would be to advertise the presence of Automatic Number Plate Recognition (ANPR) Cameras within the site. A previous Planning Application for the erection of an ANPR camera within the application site had been submitted to the LPA in 2018 which was subsequently Refused Planning Permission and is currently the subject of a Planning Appeal. A previous signage application was also submitted alongside that application which was also Refused Advertisement Consent by the Local Planning Authority.

2.3 When first submitted, this application sought consent for 19No. Signs however the scheme has since been amended to lower the number of signs following Officers raising concerns.

3.0 APPLICATION SITE AND SURROUNDINGS

3.1 The application site is a Car Park situated within the centre of Lawley Village, an area which lies to the west of the central district of the borough and is approximately 2 miles from Telford Town Centre.

3.2 Immediately adjacent to the car park to the south is a Morrison’s Supermarket Chain of whom own the site, and it is surrounded by a mixture of other smaller commercial units to the west within the square itself consisting of retail units, cafes, takeaways and offices of which the car park currently serves. Immediately east of the site is a nursery and public house, to the north, residential dwellings.

3.3 The area within Lawley forms part of the Lawley Sustainable Urban Extension. The Car Park itself is an open car park utilised by the customers and staff of the

Morrison's supermarket, retail units of Lawley Square, and other surrounding uses within the Lawley Sustainable Urban Extension. It has some provision of privately leased spaces for residents occupying apartments adjacent to the site.

4.0 RELEVANT PLANNING HISTORY

- 4.1 TWC/2018/0068 - Installation of 3No. Internally Illuminated Motif Boxes, 3No. Internally Illuminated Fascia Signs and Branded Vinyl Applied to Glazing Surrounding ATM Machine - Advertisement Granted
- 4.2 TWC/2018/714 - Erection of Automatic Number Plate Recognition (ANPR) Camera - Full Refused 07 December 2018 subject of a Planning Appeal, ref.: APP/C3240/W/19/3223822.
- 4.3 TWC/2018/713 - Installation and display of 23No. Non-illuminated Parking Information Signs – Advertisement Consent Refused 12 December 2018

5.0 PLANNING POLICY CONTEXT

- 5.1 Telford & Wrekin Local Plan:
 - EC10: Shopfront and Advertisement Design
 - BE1: Design Criteria
- 5.2 Lawley Design Code (2004)
- 5.3 The National Planning Policy Framework (NPPF)

6.0 SUMMARY OF CONSULTATION RESPONSES

6.1 Standard Consultation Responses

- 6.1.1 Lawley & Overdale Parish Council: **Object**: Considers the proposal to be contrary to Telford & Wrekin Local Plan Policies COM1, EC6, EC7, C5 and C6; considers the proposal will cause highway issues, social issues, loss of vitality into Lawley and will impact upon the character of the area.
- 6.1.2 Cllr. Greenaway: **Object**: Considers the proposal to be contrary to Local Plan Policies COM1, C3 and C5.
- 6.1.3 Highways: No comment received.

6.2 Neighbour Consultation Responses

- 6.2.1 A Site Notice was displayed to advertise the proposal. As a result, 2 letters of support and 102 letters of objection were received alongside a petition of over 600 signatures which raised the following concerns:

- Parking and highway safety along Birchfield Way is already congested, causing issues which will be exacerbated by the proposal;
- residents of flats have car park spaces in their leases within the car park itself raising concern for how the charges will work for these people;
- breach of Planning Condition pursuant to planning ref.: TWC/2010/0627 which states that the Car Parking areas shall be in place prior to

- occupation - however the parking is being removed through this proposal;
- contrary to Telford & Wrekin Plan Policies EC6 and EC7 regarding vitality of Centres.
- the car park being utilised by all of the surrounding uses including the shops, gym, nursery, primary school, doctor's surgery, dentist, offices and takeaways and is not solely for use by Morrison's customers;
- non-profit organisations such as charity shops and the Lawley running club will suffer as a result;
- potential loss of trade for Morrison's as people may choose to shop elsewhere rather than pay for parking;
- displacement of parking will spoil the community feeling within Lawley;
- additional pressures of parking charges for families;
- negative impacts the displacement of parking will cause to retailers in Lawley Square, their staff and customers leading to loss of footfall and vitality in Lawley;
- residents of Lawley already pay £250 per annum to Bourneville Village Trust (BVT) to maintain the estate;
- hundreds of homes to still be built which would use the Local Centre;
- Revenue should be used to help local people and organisations.

Whilst the Local Planning Authority are grateful for the input of local residents, Officers can only consider concerns raised which are material planning considerations, which unfortunately these are not and therefore have not been considered when making a recommendation for this application.

7.0 PLANNING CONSIDERATIONS

- 7.1 The main issues to be considered within an advertisement application are the impact upon visual amenity and public safety, taking into account cumulative impacts. Powers under the Advertisement Regulations may only be exercised in the interests of amenity and public safety, taking account of material factors such as adopted policies which are not by themselves decisive.
- 7.2 An earlier application was submitted for the erection of an ANPR Camera within the application site, which was proposed to seek to restrict the time in which customers could park in the Car Park. This application was refused by the Local Planning Authority and the Applicant has subsequently lodged an Appeal against the Council's Decision which is currently under consideration by the Planning Inspectorate (PINS). It should however be noted that the submitted plans indicate that the Advertisements proposed within this current application would be to advertise the ANPR Cameras and their operation, however the content of the Advertisements themselves are not for consideration as part of the current Advertisement Application.
- 7.3 Whilst it would not be appropriate for Officers to consider this application alongside the previously Refused scheme for the ANPR Camera, it should be noted that if the previously refused scheme for the ANPR Camera is Dismissed at Appeal, given the indicative details submitted, it would be unlikely that the Proposed Signage being applied for in this application would be erected. For the avoidance of doubt therefore, it should be noted that Officers are not considering the content of the Signs, instead only the visual appearance, public safety and highway impacts of the scheme.

- 7.4 With regards to visual amenity, guidance contained in the NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. It states that control over outdoor advertisements should be efficient, effective and simple in concept and operation. The NPPF also advises that only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment.
- 7.5 When the Lawley 'Sustainable Urban Extension' was first granted planning permission in 2004, one of the visions for the area was that it would have a "*clear character and sense of place*" (Lawley Design Code, 2004, Pg. 1). Within the Lawley Design Code (Pg. 8) Lawley Square is described as an "*animated central square which forms the heart of Lawley,*" as well as being designed as focal point for all of the neighbourhoods within the Sustainable Urban Extension. The Design Code indicates that visual clutter should be strongly resisted to ensure the high quality infrastructure and appearance within Lawley Square are maintained and to ensure its unique character is not detrimentally affected as a result of proliferation. New or replacement signage within the vicinity has been designed sensitively, and modestly to ensure the character of the area is retained, and where possibly, enhanced.
- 7.6 A previous signage application was submitted to advertise the ANPR Camera under ref.: TWC/2018/0713 which proposed 23No. Signs. The application was refused due to the high number of signs proposed, and the proliferation and visual clutter the signs would cause to the appearance of this key central space within the Sustainable Urban Extension as a result. The number of signs proposed failed to enhance the character of the area, and would have been over dominant within the Lawley Square setting. The current application was then submitted to try and address the concerns raised, by proposing 19No. Signs.
- 7.7 Policy BE1(i) of the Local Plan states the Council will support development which "*respects and responds positively to its context and enhances the quality of the local built and natural environment.*" Given the strong design ethos that has driven the design and development of Lawley Sustainable Urban Extension, Officers consider that the existing built environment of Lawley Square has been designed in the most positive way feasible and the addition of incremental street signage would be unlikely to enhance the built environment beyond its current visual appearance.
- 7.8 When assessing changes to the built environment, however, the Local Planning Authority must consider whether the change is harmful. Officers recommended to the applicant that the scheme be reduced from 19No. Signs to 9No. Signs to take account of the visual quality of Lawley Square. The applicant declined this recommendation and reduced the number of Signs to 11No.
- 7.9 The Local Planning Authority must assess the proposal submitted and it is acknowledged the revised scheme for 11No. Signs does show a significant reduction in the number of signs proposed from the original 19No. It is considered that whilst the proposal is not ideal and would not enhance the quality of the built environment, on balance, the visual clutter proposed in the previous scheme has been largely mitigated and the revised scheme would be significantly less detrimental to its setting. The revised scheme also attempted to make sensitive changes, such as mounting signs on existing street furniture and lamp posts to avoid additional poles.
- 7.10 With regards to the operation of the signs, it is considered by the Applicants that the 11No. Signs proposed are the minimum number which could be erected to successfully advertise the proposed ANPR cameras, whilst providing the required

information, such as GDPR and disabled access. Officers did request a further reduction in the number to 9No. Signs to try and mitigate the impact of the scheme further, however the Applicants did not consider this was sufficient to advertise the ANPR Camera. Based on the current scheme for 11No. Signs, whilst the scheme does still introduce new signage into Lawley Square, the proposed signs are simple and practical in their operation in order to serve a purpose.

7.11 With regards to public safety and highway safety, the scheme would not introduce any negative impacts upon the highway or to members of the public and therefore on balance can be accepted.

7.12 On balance, the Local Planning Authority has assessed the amended plans for the proposed signage in line with Telford & Wrekin Local Plan policies, and the NPPF, and concluded that the signage is necessary to advertise the ANPR Camera and whilst the application does include a drawback in the number of signs proposed, the Applicant considers any fewer would not allow the signs to fulfil their purpose. The Local Planning Authority considers the number of Signs has been reduced considerably since the first advertisement application, and whilst still not desirable within the setting of the Sustainable Urban Extension, on balance the revised number can be accepted. The revised scheme would have no significant adverse impact in terms of public safety or highways impacts.

8.0 CONCLUSIONS

8.1 The Local Planning Authority consider the amended scheme for the signage proposed would not have an adverse impact upon the highway safety of the surrounding area and does not prejudice public safety. Whilst the scheme to erect 11No. Signs would not enhance the visual amenity of the area, the harm caused would not outweigh the benefits of the scheme when weighed against each other, and therefore the application is to be recommended for approval. The Local Planning Authority therefore consider the scheme to be compliant with advice set out in the National Planning Policy Framework and the Telford & Wrekin Plan Policies EC10 and BE1.

9.0 RECOMMENDATION

9.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT ADVERTISEMENT CONSENT** subject to the following:

- b) The following Condition(s) and Informative(s) (with authority to finalise conditions and reasons for approval to be delegated to Development Management Service Delivery Manager):

Condition(s):

A04	Time Limit
C38	Development in Accordance with the Approved Plans
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