

## PLANNING APPLICATION REPORT

**Case Officer:** Chris Mitchell

**Parish:** Tavistock **Ward:** Tavistock South West

**Application No:** 2997/16/ADV

**Agent/Applicant:**

Mr Mike Kalam  
Crown House  
123 Hagley Road  
Edgbaston  
Birmingham  
B16 8LD

**Applicant:**

Ms Nicola Rickford  
Lidl UK GmgH  
C/O Lapworth Architects

**Site Address:** 142-152, Plymouth Road, Tavistock, PL19 9DS

**Development:** Advertisement consent for proposed totem (pylon)

**Reason item is being put before Committee:** Referred by Cllr Sanders for the following reason:

*'The enterprise is clearly visible from both directions and further advertising cannot be justified on the grounds of being needed to promote trade. From a road safety point of view the area is already fairly cluttered with a light controlled Toucan crossing, the entrance into the Plymouth Road Industrial estate and the entrance into and out of the Lidl car park which has neither a left nor right turn lane.*

*Additionally approaching from the Plymouth direction there are bus stops on both sides of the road which being some distance from the Toucan crossing lead to a lot of pedestrian traffic across the carriageway. In the last two weeks or so a car wash facility has re-opened further adding to the traffic movements in this area with vehicles entering and leaving the site from both directions.*



**Recommendation:** Conditional approval

**Conditions:**

Accord with plans  
Standard advertisement conditions

**Key issues for consideration:**

Visual impact upon the local area, highway impact and impact upon the amenity of neighbouring properties.

---

**Site Description:**

The application site is located to the south east of Tavistock with access taken directly from Plymouth Road. The site is a Lidl Supermarket with main shop and associated car parking

**The Proposal:**

This is an advertisement consent application to construct a totem (pylon) on the south eastern boundary of the site. It will measure 7.5m in height and 2.67m in width constructed in white/graphite grey aluminium with Lidl logo at top with associated signage for Bakery, opening hours, parking and email address below. The Lidl logo a yellow circle with lettering is proposes to be illuminated by internal LED lighting.

**Consultations:**

- Highways                      No objection The highway authority would not be able to sustain an objection to an advertisement sign on privately owned land, in a supermarket car park in an urban location such as this – as is stated below ‘fairly cluttered’ – on highway safety grounds. It would be impossible to quantify with any factual evidence the impact, if any, that an additional advertisement sign would have on highway safety.  
  
The Local Planning Authority may of course consider that the sign would have an impact on the street scene.
- Parish Council:              Support

**Representations:**

There has been one letter of objection received:

- There is no requirement for any more advertisement;

**Relevant Planning History**

02703/2012/ADV	Erection of two freestanding billboard advertisements.	Refusal
01948/2011/ADV	Erection of 2 freestanding billboard advertisements.	Refusal
13253/2009/TAV	Erection of signage including 1 x dual pole sign and 1 x wall mounted sign	Conditional Consent
12917/2009/TAV	Reserved Matters Application for erection of supermarket (dealing with design and landscaping	Conditional Consent
12364/2008/TAV	Erection of foodstore with associated access and parking	Conditional Consent

## ANALYSIS

In determining advertisement applications the only material planning considerations that can be considered relate to highway safety and amenity.

The existing character of the area is predominantly industrial/commercial with an industrial estate close by and with the main Plymouth road running east to west. There is a terrace of dwelling house opposite the site. To the west is the supermarket of Morrisons with a petrol station with illuminated totem and to the north-west is the supermarket of Tesco on a raised piece of land with a further illuminated totem.

The proposed sign is of a suitable size and scale for its location, typical for this type of commercial premises. It would not adversely affect the character and appearance of this mainly commercial area.

The objection received stating that no further advertisement is required is noted however the need for the advertisement is not a material planning consideration.

The proposed sign is not considered to adversely harm the character and appearance of the local area and is a form of advertisement that supermarket and shops are adopting that results in a minimal visual impact upon local area, combining a variety of information within one sign. It is acknowledged that the two previously mention supermarkets both have obtained advertisement consent for similar illuminated totems. It is considered that the proposal would be acceptable.

It is noted that there have been previous advertisement applications 02703/2012/ADV and 01948/2011/ADV for bill boards that measured 3.3m high by 6.3m in width and at a height of 4.3m above ground level times two thereby having a cumulative surface area of 42 sq.m. These were refused on their size and massing that would have adversely impacted upon the character and appears of the locality.

This proposed totem although illuminated and measuring 7.5m high and 2.67m wide only has a total area of some 20 sq.m and therefore in Officer's opinion would not result in a harmful impact upon the local area due to its smaller scale, massing and dimensions.

### Highway Impact

The Highway Authority does not raise an objection to the proposal as they would not be able to sustain an objection to an advertisement sign on privately owned land, in a supermarket car park in an urban location such as this – as is stated below 'fairly cluttered' – on highway safety grounds. It would be impossible to quantify with any factual evidence the impact, if any, that an additional advertisement sign would have on highway safety.

Therefore it is a matter for the Local Planning Authority to determine whether the sign would have an adverse impact upon the street scene. Officers raise no objection to this signage as it would not cause adverse harm upon the local area or cause a distraction to highway safety.

### Conclusion

The proposal is therefore considered to accord with local and national planning policies, does not significantly harm the local landscape character and appearance and would not cause an issue of highway safety. Officers therefore recommend that advertisement consent be granted for this proposed illuminated totem.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

## **Planning Policy**

Town and Country Planning (Control of Advertisements) Regulations 2007 and Circular 03/2007: The Town and Country Planning (Control of Advertisements) Regulations 2007 provide an outline of the present system of controls. Powers to be exercised in the interests of amenity and public safety.

The Planning Practice Guidance Suite states:

### **Other Material Planning Considerations**

Town and Country Planning (Control of Advertisements) (England) Regulations 2007 - a LPA shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development and other relevant factors. In relation to amenity, this includes the general characteristics of the locality, including the presence of any feature of historic, architectural or similar interest.

#### ***National Planning Policy Framework***

*Section 7. Requiring good design*

*Also the provisions for Conservation Areas*

#### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

### **Recommended Conditions**

1. The development hereby approved shall in all respects accord strictly with drawing numbers 100, 102 and 301 received by the

Local Planning Authority on 27th September 2016.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

2. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

4. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

5. 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.

6. No advertisement is to be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: Standard condition under the provisions of the above mentioned Regulations.

## **INFORMATIVES**

1. This authority has a pro-active approach to the delivery of development and early pre-application engagement is always encouraged. As the Local Planning Authority we have endeavoured to work proactively and positively with the applicant to ensure that all relevant planning considerations have been appropriately addressed. This approach accords with the National Planning Policy Framework and with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended.

2. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.