

Report to: PLANNING COMMITTEE

Date of Meeting: 25 January 2023

Report from: Assistant Director of Housing and Built Environment

Application address: **Morrisons, 170 Queens Road, Hastings, TN34 1RN**

Proposal: **Advertisement consent application for 3 x white aluminium panels, to cover the south-east, north-east and south-west clock faces on the existing clock tower. (Retrospective) (amended description)**

Application No: **HS/AA/22/00688**

Recommendation: **Grant Advertisement Consent**

Ward: CASTLE 2018
Conservation Area: No
Listed Building: No

Applicant: MORRISONS SUPERMARKETS per Butterfield Signs Limited 174 Sunbridge Road Bradford BD1 2RZ

Public Consultation

Site notice:	Yes
Press advertisement:	No
Neighbour Letters:	No
People objecting:	37
Petitions of objection received:	0
People in support:	0
Petitions of support received:	0
Neutral comments received:	0

Application status: Not delegated - 5 or more letters of objection received

1. Site and surrounding area

The application site relates to Morrison's supermarket, a 1980s building located on the west side of Queen's Road and south side of Waterworks Road. The retail unit is set back from Queen's Road with a large car park and petrol filling station. Due to the topography of the

area; Morrison's is visible from various surrounding roads, including the green space of the West Hill. The building is not listed and is not located in a conservation area.

Constraints

Network Rail Land Ownership 10m Buffer

2. Proposed development

The application is seeking retrospective consent for the display of no. 3 non-illuminated aluminium signs bearing the Morrison's logo with white background on the south east, south west and north east elevations of the clock tower.

The following signage is proposed:

Sign A - (clock fascia) - south east (front) elevation

Height from ground level: 8.6m

Dimensions: Height: 1.45m x Width: 1.25m x Depth 2.5mm

Lettering Height: 235mm

Material/finish: Aluminium with face-applied vinyl lettering. RAL9910 White Gloss

Sign B - (clock fascia) - south west elevation

Height from ground level: 8.6m

Dimensions: Height: 1.45m x Width: 1.25m x Depth 2.5mm

Lettering Height: 235mm

Material/finish: Aluminium with face-applied vinyl lettering. RAL9910 White Gloss

Sign C - (clock fascia) - north east elevation

Height from ground level: 8.6m

Dimensions: Height: 1.45m x Width: 1.25m x Depth 2.5mm

Lettering Height: 235mm

Material/finish: Aluminium with face-applied vinyl lettering. RAL9910 White Gloss

No other form of development is proposed as part of this application.

Relevant planning history

HS/AA/20/00083	Canopy signage for new WMS Click & Collect Service. Granted 11/06/2020.
HS/AA/18/00377	Rebranding external signage. Granted 03/05/2018.
HS/AA/08/00524	Internally illuminated signs. Granted 15/08/2008.
HS/AA/05/00462	Various new and replacement signage due to change of ownership at superstore and garage. Granted 22/07/2005.
HS/AA/03/01081	ATM single-sided lightbox. Granted 28/01/2004.
HS/AA/01/00135	Display of banners on light columns. Granted 06/04/2001.
HS/FA/87/00758	Retail development comprising 4460 sq.m supermarket and 620 sq.m electrical goods store complete with customer car park for 409 cars and associated service roads, delivery areas and staff parking. Granted 03/03/1988.
HS/FA/87/00061	Retail development comprising supermarket, DIY store,

	garden centre, electrical store and car park for 359 cards. Granted 20/07/1987.
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In addition to the above, there are additional advertising consent applications dating back further than 20 years which are not considered relevant to this application.

National and local policies

Hastings Local Plan – Planning Strategy 2014

Policy FA2 - Strategic Policy for Central Area

Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way

Policy EN1 - Built and Historic Environment

Hastings Local Plan – Development Management Plan 2015

Policy LP1 - Considering planning applications

Policy DM1 - Design Principles

Policy DM3 - General Amenity

Policy HN1 - Development affecting the significance and setting of a designated heritage asset (including conservation areas)

Other policies/guidance

National Design Guide

Supplementary Planning Document - Shopfronts and Advertisements

Highways East Sussex County Council Minor Planning Application Guidance (2017)

National Planning Policy Framework (NPPF)

Paragraph 136 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.”

National Planning Practice Guidance (NPPG)

Paragraph: 068 Reference ID: 18b-068-20140306

Sets out what types of advertisements may cause danger to road uses

Paragraph: 072 Reference ID: 18b-072-20140306

Sets out what types of advertisements may cause danger to railway safety

Sets out what types of advertisements may cause danger to aircraft

Sets out what amenity is and how it should be applied

3. Consultation comments

No consultee responses were required.

4. Representations

In respect of this application a site notice was displayed on a lamp post outside the Queen's Road entrance of Morrison's. 37 responses were received from 35 different addresses.

Objections raised are summarised below:

- No need for further advertising
- Cheapens look of area
- Looks tacky
- Spoils view from home
- Dangerous precedent
- Should not be more than 4.6 metres from ground level or more than 0.3 sq. metres in area
- Poor addition to streetscape
- Prefer clock to advertising
- The clock is a community resource

The overwhelming majority of responses were concerned with the covering of the clock faces. Whilst this is not material to the assessment of whether the advertisements are acceptable or not, it is noted for background information that the application site is not a listed building, nor within a conservation area and the clock is not required to be retained by a condition of the original planning permission (HS/FA/87/00758).

The assessment of the appearance of the proposed signage can relate to the advertising only, and not be influenced by the proposed loss of the exposed clock faces, of which the applicant is under no obligation to retain.

The comment regarding the size and height limits of advertising appears to be quoting limits set within the Advertisement Regulations (2007) as amended. One such limit is that a sign can not be more than 4.6m above ground level without the express permission of the Local Planning Authority. So the signage can be more than 4.6 metres from the ground and greater than 0.3 sq. metres in surface area, provided they apply for and receive advertisement consent.

All other objection comments are dealt with through standard assessment below.

5. Determining issues

The Town and Country Planning (Control of Advertisements) Regulations 2007 require that applications for advertisement consent are assessed in terms of their impact on amenity and public safety. There are no specific Local Plan policies in respect of advertisements but general policies such as DM1 and DM3 of the Hastings Local Plan - Development Management Plan 2015 which require development to have regard to both the character of the area and neighbouring residential amenity.

a) Impact on amenity

Policy DM3 (i) of the Hastings Local Plan - Development Management Plan (2015) which states, outdoor advertisements and signs do not detrimentally affect the appearance of any building(s) and/or the surrounding area and do not result in a danger to the public highway.

The application site occupies a prominent location in Queen's Road, which, due to the topography of the area, is visible from various locations including the green space of the West Hill. The proposed signage will cover three sides of the clock tower. The covering of the clock faces is not material to the assessment of whether the advertisements are acceptable or not, therefore the assessment will only discuss the appearance of the advertising panels in their

own right in the context of the building and the area.

The proposed panels measure 1.45 metres by 1.25 metres and will be 8.6 metres from ground level. The distance from ground level in relation to their moderate size, means the signage will not be a dominant feature on the building. In addition, the size of the signs should be viewed in context of the building to which they relate. In this instance the building size is substantial and the size of the signs would not appear out of context with the building in this respect.

Morrison's is mostly screened on Queen's Road by the north west side buildings, except for a break in the building line where Morrison's car park is located. The distance between the proposed signage and this part of Queen's Road is in excess of 75 metres. Due to this, the impact of the signage as viewed from the road will be minimal and not harmful.

Morrison's is in excess of 300 metres from the green space of the West Hill and mostly screened by trees. The existing main Morrison's illuminated sign is visible, however, the landscape requires some study before being able to locate the proposed signage which is very small at that distance.

The design of the panels is simple and will display the current Morrison's branding. The design of the clock tower will frame the proposed signage and not look incongruous.

The proposal is therefore considered acceptable in this respect with no harmful impact upon the character and appearance of the building and area or upon any of the residential properties which is in line with Policies DM1, DM3, HN1 and EN1 of the Hastings Local Plan.

b) Impact on public safety

Policy DM3 (i) of the Hastings Local Plan - Development Management Plan (2015) which states, outdoor advertisements and signs do not detrimentally affect the appearance of any building(s) and/or the surrounding area and do not result in a danger to the public highway.

The signage will be visible from the public highway but are set back in excess of 75 metres behind a car park. The design and colour is considered conservative and will not be prominent within the area. Pedestrian flow will be unaffected.

In view of the above, the proposal is considered acceptable in this regard and will not have a negative impact on public safety and complies with Policies DM3 and DM4 of the Hastings Local Plan - Development Management Plan (2015).

c) Site Constraints

Given the nature and the scale of the works proposed, there will be no ground works with the proposed signage to be attached to the existing building. As such, there will be no impact upon any of the identified constraints.

6. Conclusion

The proposed development will not have a negative impact upon amenity or public safety so complies with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007, Policies DM1, DM3, DM4, HN1 and EN1 of the Hastings Local Plan and the relevant sections of the National Planning Policy Framework, and, therefore it is recommended that consent is granted subject to the attached conditions.

These proposals comply with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

7. Recommendation

Grant Advertisement Consent subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The advertisement hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan, Block Plan, Site Plan, Hastings (353) - Planning Booklet, C62114-A1 Aluminium Face Panel
3. 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.
4. 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.
5. 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.
6. 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.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.

4. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
5. In the interests of safeguarding the amenities of the area.
6. In the interests of safeguarding the amenities of the area.

Notes to the Applicant

1. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
 2. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
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Officer to Contact

William Larkin, Telephone 01424 783250

Background Papers

Application No: HS/AA/22/00688 including all letters and documents