

Planning Committee: 28 April 2015

Item Number: **9**

Application No: [W15/0035](#)

Town/Parish Council: Leamington Spa

Case Officer:

Rob Young

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Registration Date: 03/02/15

Expiry Date: 05/05/15

Petrol Filling Station, 130 Rugby Road, Leamington Spa, CV32 6DN

Display of various internally illuminated and non-illuminated advertisements, including advertisements on the building and a free-standing totem sign (retrospective application). FOR Asda Stores Ltd

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

Planning Committee are recommended to make a SPLIT DECISION. It is recommended that advertisement consent is REFUSED for the totem sign and the fascia signs on the canopy and GRANTED, subject to conditions, for all of the other signs.

DETAILS OF THE DEVELOPMENT

This is a retrospective application for the retention of the following advertisements:

- an internally illuminated totem sign;
- internally illuminated signs to the fascias of the forecourt canopy;
- a non-illuminated banner sign on the south-western boundary;
- non-illuminated signs above the entrance to the car wash and jet wash;
- a non-illuminated poster sign on the front elevation of the kiosk;
- an internally illuminated fascia sign on the front elevation of the kiosk; and
- various small scale "welcome" and directional signs around the site.

The following amendments have been made to the application:

- signage relating to click and collect lockers omitted;
- banner advert moved from front boundary to the side boundary, internal to the site;
- signs omitted from Cliffe Road elevation of kiosk;
- totem sign reduced in size;
- fuel price readouts on totem sign increased in size;
- signs on canopy reduced in size;
- addition of "finger" features above Asda lettering to all signs; and
- fascia to Cliffe Road elevation of car wash changed from green to white.

THE SITE AND ITS LOCATION

The application relates to a petrol filling station situated on the north-western side of Rugby Road. The site is situated within a predominantly residential area, although the Lockwoods ski shop is situated on the opposite side of Rugby Road and the Rugby Road Local Shopping Centre is 135m (as the crow flies) to the south-west along Rugby Road (with two blocks of flats and Guys Cliffe Road in between). The application site is adjoined by dwellings to the south-west and north-west. Rugby Road runs along the south-eastern boundary of the site and Cliffe Road runs along the north-eastern boundary. Dwellings face the site from the opposite side of Rugby Road and Cliffe Road.

The site has recently been redeveloped to provide a new petrol filling station. This includes fuel pumps and an associated canopy occupying the centre of the site. A single storey sales building is situated to the rear of this. There is a car wash behind the sales building, alongside the boundary with the neighbouring dwelling at No. 2a Cliffe Road. There are vehicular accesses onto Rugby Road and Cliffe Road.

The application site adjoins the boundary of the Leamington Spa Conservation Area. The Conservation Area boundary runs along the south-eastern, north-eastern and north-western boundaries of the site.

PLANNING HISTORY

In 2013 planning permission was refused for "Demolition of existing service station and redevelopment to provide a foodstore (Use Class A1) with ATM, associated parking, landscaping and other ancillary works (resubmission of withdrawn application ref. W12/0641)" (Ref. W13/0597). A subsequent appeal was dismissed on the grounds that the proposals failed the sequential test in the NPPF and Local Plan Policy UAP3 and on the grounds that the proposals included inadequate off street parking.

In August 2014 planning permission was refused for "Removal of condition 5 (opening hours) of planning permission no. W/96/0559 so as to allow 24 hour opening" (Ref. W14/1084).

In February 2015 planning permission was granted for "Refurbishment of existing petrol filling station to include single storey extensions to the shop, installation of new ATM pod, installation of a new boundary fence, replacement of existing air conditioning units and other external alterations" (Ref. W14/1664).

A revised version of the above proposals has subsequently been submitted which reinstates the bank of "click and collect" lockers that had been omitted prior to the approval of the above application (Ref. W15/0346). No decision has yet been made on this revised application.

Prior to that there had been a number of other previous applications relating to extensions and alterations to the premises. None of these are directly relevant to the consideration of the current proposals.

The most recent application for advertisement consent was submitted in 1994, when advertisement consent was granted for "Display of 17 various internally illuminated corporate identity signs" (Ref. W94/0359).

RELEVANT POLICIES

- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Town Council: Object on the following grounds:

1. The reintroduction of the Click & Collect storage containers withdrawn from the previous application will create an unacceptable adverse impact on a predominantly residential area in terms of increased traffic caused by deliveries and collections from the lockers.
2. The illuminated signage should be restricted to the opening hours of the forecourt station and switched off between the hours 2300 and 0700 to avoid an unacceptable overnight intrusion and nuisance to local residents.

Public response: 16 objections have been received, raising the following concerns:

- the lights should be switched off between 2300 hours and 0700 hours;
- the click and collect facility has been refused planning permission and consequently there should not be any advertisements relating to this;
- detrimental to the character and appearance of the adjacent Conservation Area and nearby Listed Buildings;
- the amount of signage is excessive and unnecessary;
- the signage is not appropriate for this residential area;
- the totem sign is too large;
- the banner sign will appear unsightly;
- light pollution; and
- harm to the outlook from neighbouring dwellings.

Conservation Advisory Forum: The totem was considered to be higher than the existing. There are too many Asda signs (14 had been counted). The signage on the canopy should not be higher than the canopy – an example at Wolstanton showed it within the fascia. It was also pointed out that on the previous Esso canopy the white line under the colour band reduced the depth visually. The roadside banner signs were considered to be most unacceptable abutting the

Conservation Area. These should be omitted. Concerns were also expressed that the click and collect lockers were still shown in the application.

ASSESSMENT

Paragraph 67 of the NPPF states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Accordingly, the main issues relevant to the consideration of this application are as follows:

- the impact on the character and appearance of the area and the setting of the adjacent Conservation Area; and
- the impact on the living conditions of neighbouring dwellings.

Impact on the character and appearance of the area and the setting of the adjacent Conservation Area

The application has been amended to reduce the overall size of the totem. However, at the same time the fuel price readouts within the totem sign have been significantly increased in size. These parts of the sign are now significantly larger than the corresponding part of the former Esso signage. As a result, this part of the sign now has a very strident appearance that is apparent over some distance when approaching the site along Rugby Road. When viewed from the adjacent Conservation Area this appears as an unduly assertive form of advertising that detracts from the historic character and appearance of the area. The totem sign abuts the boundary of the Conservation Area.

Turning to the signs on the canopy, the application has been amended to reduce the size of the Asda lettering so that it no longer projects above the fascia. However, at the same time "finger" features have been added above the lettering which project above the fascia. These are rather unusual features for such signage, although this would not necessarily be an issue in a less sensitive location. However, this is a sensitive location, adjoining a Conservation Area. As with the totem sign, when viewed from the Conservation Area it is considered that the amended canopy signs appear as an unduly assertive form of advertising that detracts from the historic character and appearance of the area.

The other advertisements are all considered to be appropriate for this location. The kiosk sign is set well back into the site, behind the fuel pumps. Therefore it does not represent an unduly prominent feature when viewed from the Conservation Area. The banner sign has been relocated towards the rear of the site and in this amended position it does not represent an unduly prominent feature when viewed from the Conservation Area.

Impact on the living conditions of neighbouring dwellings

When viewed from neighbouring dwellings, the signage that has been installed is undoubtedly more conspicuous than the signs that were previously in place. However, given that this is a long established commercial site, it is not considered that this would demonstrably harm the living conditions of those dwellings.

Other matters

The proposals are considered to be acceptable in terms of public safety. The signs do not represent an undue distraction for motorists using adjacent roads.

SUMMARY / CONCLUSION

It is considered that the proposed canopy and totem signs cause unacceptable harm to the character and appearance of the adjacent Conservation Area. The other signs are considered to be acceptable in terms of the impact on the setting of the Conservation Area, the impact on the living conditions of neighbouring dwellings, and public safety. As some of the signs are considered to be acceptable and some not, the applicant has requested that a split decision be issued, which is within the scope of the Advertisement Regulations. Therefore it is recommended that a split decision is issued which refuses advertisement consent for the canopy and totem signs and grants advertisement consent for the other signs.

REASON FOR REFUSAL:

- 1 Policy DAP8 of the Warwick District Local Plan states that development will be expected to respect the setting of Conservation Areas and important views both in and out of them.

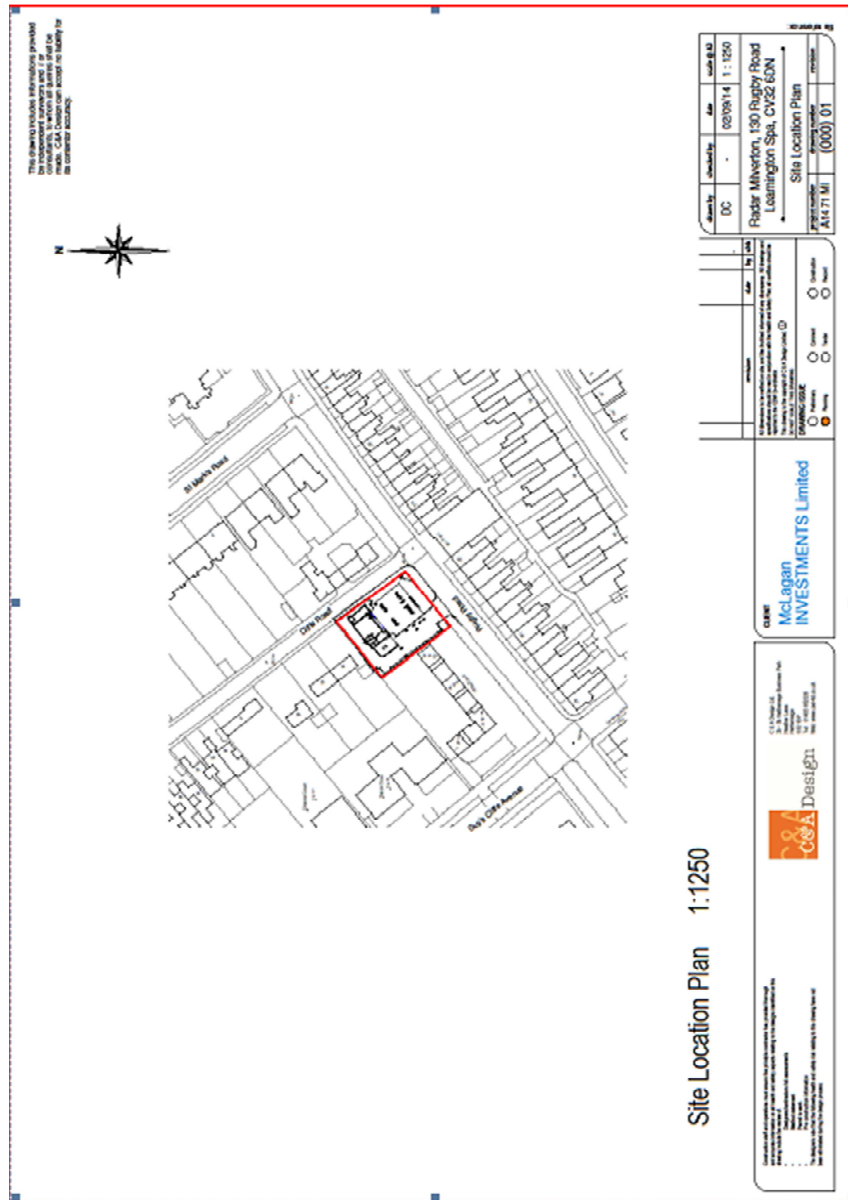
The application site adjoins the boundary of the Royal Leamington Spa Conservation Area. When viewed from the Conservation Area the proposed totem sign and canopy signs appear as an unduly assertive forms of advertising that detract from the historic character and appearance of the area. Therefore, in the opinion of the local planning authority, the proposals cause unacceptable harm to the setting of the Conservation Area.

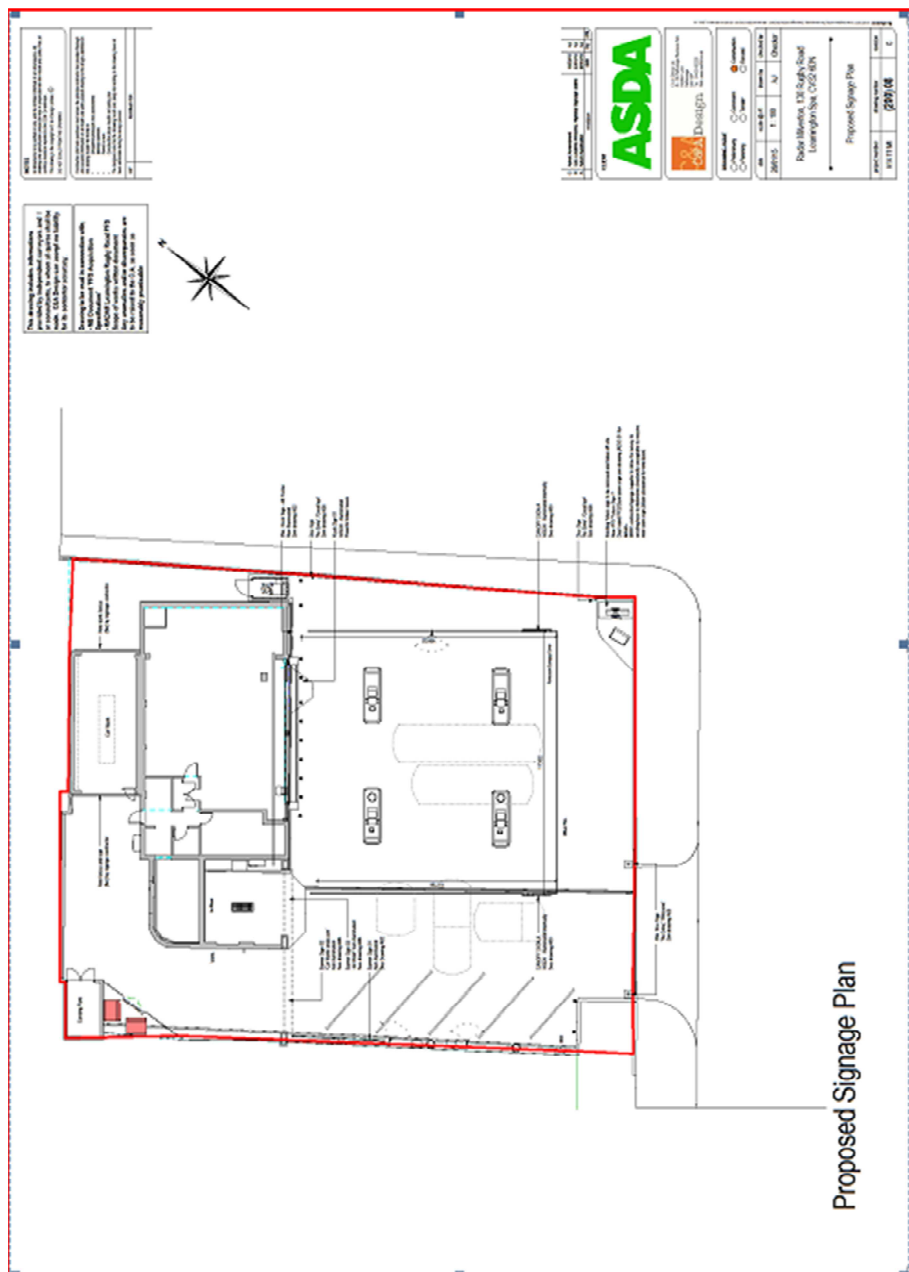
The totem and canopy signs are therefore contrary to the aforementioned policy.

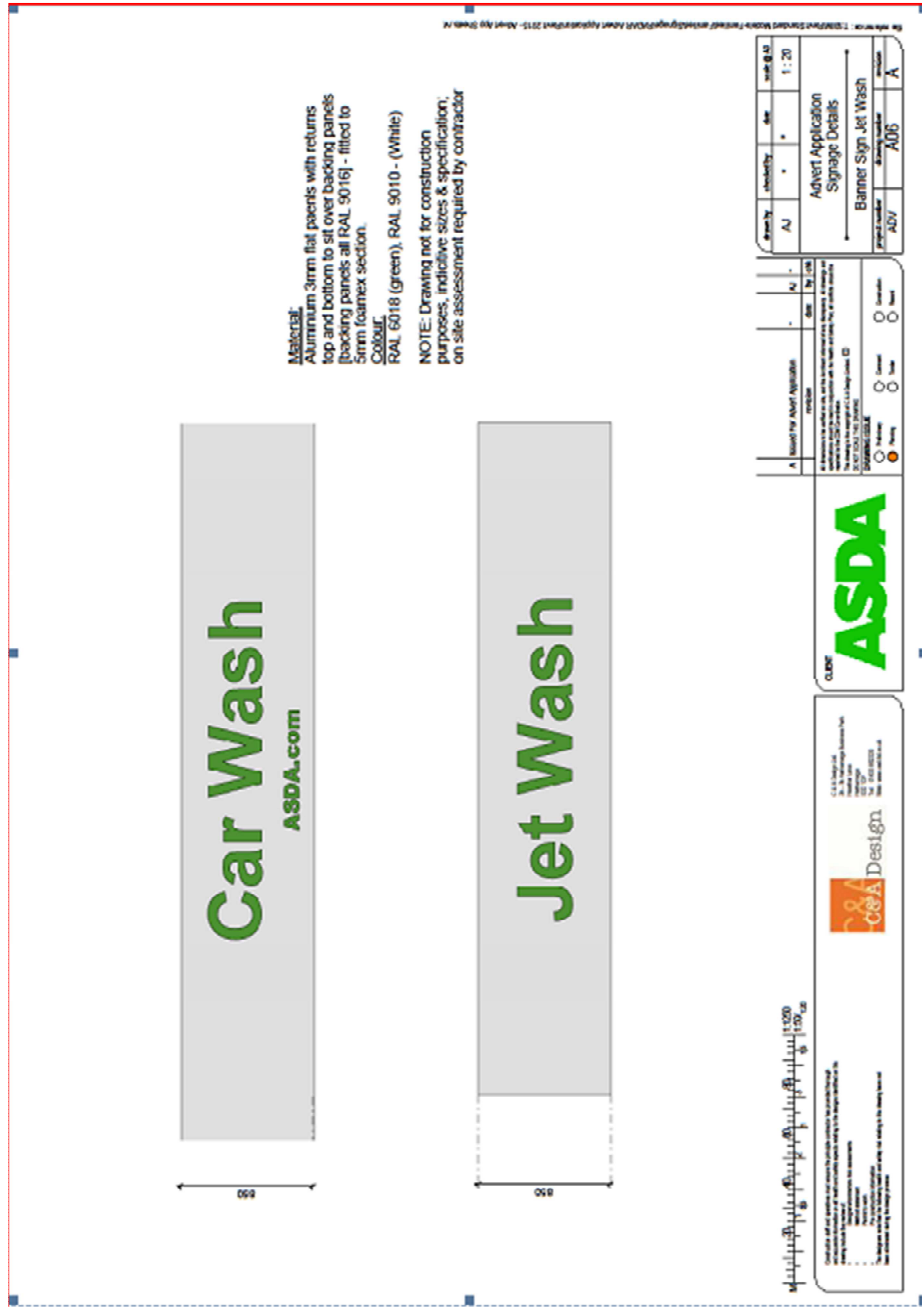
CONDITIONS (in addition to the 5 standard advertisement conditions)

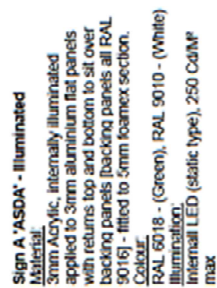
- 6 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (200)08C (except for the totem sign and canopy fascia signs which are not approved), (300)03G (except for the totem sign and canopy fascia signs which are not approved), (300)04D, A02 & A06A, and specification contained therein, submitted on 23 March 2015 & 14 April 2015. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 7 The illuminated advertisements hereby permitted shall only be illuminated by white light. **REASON:** To ensure a high standard of design and appearance within the Conservation Area, and the satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.

- 8 None of the signs hereby permitted shall be illuminated between the hours of 2300 and 0700. **REASON:** To protect the living conditions of neighbouring dwellings, in accordance with Policy DP2 of the Warwick District Local Plan.









the specific canopy:		C.A. Design 10000 E. 1st Avenue, Suite 100 Denver, CO 80231 Tel: 303.733.8888 Fax: 303.733.8889	
Consider all the options and select the one that best meets the needs of the project. The canopy should be designed to be functional, safe, and aesthetically pleasing. The canopy should be designed to be functional, safe, and aesthetically pleasing.		C.A. Design 10000 E. 1st Avenue, Suite 100 Denver, CO 80231 Tel: 303.733.8888 Fax: 303.733.8889	

