

<b>Application Number</b>	07/0809/ADV	<b>Agenda Item</b>	3.6
<b>Date Received</b>	17th September 2007	<b>Officer</b>	Mrs Angela Briggs
<b>Target Date</b>	12th November 2007		
<b>Ward</b>	Romsey		
<b>Site</b>	163 - 167 Mill Road Cambridge Cambridgeshire CB1 3AN		
<b>Proposal</b>	Installation of one double sided internally illuminated projecting sign and one internally illuminated fascia sign.		
<b>Applicant</b>	Tesco Stores Ltd C/O Agent		

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## **INTRODUCTION**

- A.1 This application along with the other two applications submitted in September 2007 (lpa refs 07/0810/FUL and 07/0811/FUL) are now the subject of appeals on grounds of non-determination of the applications by the City Council, within the prescribed period. These applications are deemed refused by the City Council as local planning authority, but will now be determined at appeal by an Inspector appointed by the Planning Inspectorate.
- A.2 Despite that, it is still necessary that the Committee consider today what determinations it would have reached in respect of all three applications, had they not been deemed refused as a result of non-determination within the prescribed period of time. The reason for this is that the Council must decide whether or not it wishes to contest the appeals. In the event that the Committee decide it would have refused any or all of the applications, it must give clear and precise reasons why it would have done so, for each application, and these reasons would

form the basis of the case upon which the Council would contest the appeals. Should Committee decide that it would have approved any or all of the applications, it must also give clear and precise reasons why it would have done so, for each case, but would not then contest the appeals.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 163-167 Mill Road is a two-storey, flat roof building, constructed in the 1970's, which stands on the north side of Mill Road. It occupies a frontage of about 17.5 metres between 161 (to the west), a launderette (which takes access from Mill Road) with a flat above (which has access from Sedgwick Street), and 169 (to the east), where an estate agency occupies both floors of the building. The front of the building is set back about 1.5 metres from the front line of 161 and 169 which flank it, with the western end about 5.5 metres east of the junction with Sedgwick Street.
- 1.2 To the rear of the site is an area of tarmac, used as a parking area, access to which is from Sedgwick Street, a one-way street along which motor vehicles may only travel north to south.
- 1.3 The building has until recently been occupied by a shop (a Class A1 use) on the ground floor (a use that remains), with financial services office (a Class A2 use) at first floor level. Access to the offices is from a doorway at the western end of the frontage, adjacent to the launderette.
- 1.4 The ground floor of 163-167 was last occupied by Wilco Motorists Discount Store, but is now vacant. The existing signs have been removed and the property currently has an unkempt appearance, despite some attempts to improve it, with a considerable amount of fly-posted notices. To the front of the property is a wide area used by pedestrians; concrete bollards about 5 metres from the face of the building mark the boundary between the shop 'forecourt' and the public footpath which is part of the public highway
- 1.5 The immediate locality has a mix of uses, including Class A1 (shops), A2 (financial and professional services), A3 (cafes) and A5 (take-aways) – some with residential uses above - on the Mill Road frontage, with predominantly Class C3 (dwellings) use

in the tight-knit residential streets to the north and south of Mill Road. All have advertisements of one form or another.

- 1.6 The site is situated within the Mill Road District Centre (East), as identified in the Cambridge Local Plan (2006). The site does not fall within the Conservation Area and there are no Listed Buildings adjacent.

## **2.0 THE PROPOSAL**

- 2.1 This advertisement application seeks consent for two signs.

A double-sided internally illuminated projecting sign, located at the west end of the shop frontage, adjacent to the entrance to the offices above and at the height of the fascia. It would project 948mm from the shop front (900mm of sign and 48mm of fitting), be 500mm high, and 90mm wide. The box is shown as dark blue; only the words of the logo “TESCO express” , on two lines, are to be illuminated.

A fascia sign, of 100mm thick aperture cut aluminium painted blue-black RAL 5004 with a flush fitted acrylic logo. The sign would be 15.4 metres in length, across the full frontage of 163-167 (except for the doorway to the first floor offices) and 650mm in height. The logo “TESCO express” is centrally located in the shop frontage and only the letters and dashes underneath, which have a total width of 3.2 metres with the maximum height of any letter 400mm, would be illuminated.

- 2.2 In addition to this application, two further applications have also been submitted at the same time which relate to the installation of a new shopfront and an ATM machine at the western end of the shop frontage (07/0810/FUL), and a single storey rear extension (of approximately 98m<sup>2</sup>) for storage and plant purposes (07/0811/FUL).

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>A/C, REF, W/D</b>
C/63/0007	Conversion of ground floor for use as butcher's shop. 163 Mill Road	A/C
C/64/0448	Change of use of ground floor from residential to shop. 167 Mill Road	A/C
C/68/0726	Supermarket with stores and office or living accommodation. 163/165 & 167 Mill Road	A/C
C/68/0276	Supermarket with stores and office over. 161-165 Mill Road	A/C
C/69/0337	Erection of five shops with office space above. 163-169 Mill Road	A/C
C/70/0405	Erection of shop, office and flat. 163-169 Mill Road	A/C
C/71/0826	Erection of 3 lock-up shops at ground level with offices over. 163/167 Mill Road.	A/C
C/73/0583	Erection of shop front. 163-167 Mill Road	A/C
07/0810/FUL	Installation of a new shopfront including a new ATM unit. 163 – 167 Mill Road	Subject to a non-determination Appeal
07/0811/FUL	Erection of a single storey rear extension. 163-167 Mill Road.	Subject to a non-determination Appeal
08/0095/ADV	Installation of one double-sided internally illuminated projecting sign and one internally illuminated fascia sign	Decision Pending
08/0098/FUL	Installation of new shopfront and ATM	Decision Pending
08/0099/FUL	Erection of single storey rear extension and installation of plant	Decision Pending

#### **4.0 PUBLICITY**

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of): (Cancelled)	No

## 5.0 POLICY

### 5.1 Central Government Advice

#### 5.2 **PPS1 Delivering Sustainable Development (2005):**

Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

#### 5.3 **PPG19 Outdoor Advertisement Control (1992)** recognises

that outdoor advertising is essential to commercial activity in a free and diverse economy. It advises that when advertisements are displayed on or close to buildings the appearance of a building can easily be spoiled by poorly designed or insensitively placed signs or advertisements. It also explains that the display of outdoor advertisements can only be controlled in the interest of “amenity” – the effect on the appearance of the building or on the visual amenity of the immediate neighbourhood where it is to be displayed - and “public safety” – the effect upon the safe use and operation of any form of transport on land (including the safety of pedestrians) over water or in the air.

#### 5.4 **PPS6 Planning for Town Centres (2005):** States that the key

objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of

services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

**5.5 Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

**5.6 Cambridgeshire and Peterborough Structure Plan 2003**

P1/3 Sustainable development in built development

P8/1 Sustainable development – links between land use and transport

**5.7 Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/15 Shopfronts and Signage

**5.8 Supplementary Planning Documents**

**Cambridge City Council (Nov 1997) – The Cambridge Shopfront Design Guide:** This document has been instrumental in improving the quality of design to retail premises in the City. It gives clear guidance on all aspects of shopfront, signage, illumination, canopy and security design whilst not stifling innovative approaches.

**6.0 CONSULTATIONS**

**Cambridgeshire County Council (Engineering)**

6.1 “No comment on behalf of the Local Highway Authority” .

6.2 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

**7.0 REPRESENTATIONS**

7.1 The owners/occupiers of the following addresses have made representations:

11	Barnwell Rd
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Tynedale House, 36	Selwyn Gardens
18a	Covent Garden
109	Coleridge Rd
13	St Barnabas Rd
1	Thorpe Way
31	Greville Rd
89	Castle St
67	West St, Isleham
16	Coleridge Rd
43	Marshall Rd
	Rassbeigring 7 (Germany)
	Steph-Pelli-Str. 6 (Germany)
24	Manhattan Drive
Down House	Primrose Lane
9	Tenison Avenue
5	Meadow Farm Close, Oakington
City of Cambridge Residents Trust, 5	Fitzwilliam Rd
94	Argyle St
340	Mill Rd
43	Marshall Rd
21	Fen Rd
87	Ramsden Square
35	Brampton Rd
35	Brampton Rd
106	Gwydir St
13	Sedgwick Street
63	Warren Close, The Triangle
137	Coleridge Rd
63	Warren Close, The Triangle
The Shadowhouse, 71	Cromwell Rd
25	Thoday St
88	Tenison Rd
6	Great Eastern St
37	Argyle St
42B	George Pateman Court, Tenison Rd
36	Greville Rd

12	Rustat RD
2	Romsey Rd
17	Christchurch St
12	Hemingford Rd
55	Hemingford Rd
59	Mawson Rd
158	Gwydir St
56	Ross St
45	Hemingford Rd
27	Belgrave Rd
79	Great Eastern St
129	Hemingford Rd
175	Gwydir St
126	Sedgwick Street
57c	St Philip's Rd
172	Gwydir St
155	Gwydir St
146	Sedgwick Street
81	Catherine St
218-220	Mill Rd
11	Greville Rd
19	Ainsworth Place
30	Station Rd, Whittlesford
104	Suez Rd
124	Thoday St
14	Sedgwick Street
148	Cromwell Rd
34	Gwydir St
122	Gwydir St
114/6	Mill Rd
118	Tenison Rd
92	Brampton Rd
171	Gwydir St
36	Cromwell Rd
28 School Court	Thoday St
35	Norfolk St
156-160	Mill Rd
32	Nuttings Rd
59	Cavendish Ave

130 emails have also been submitted objecting to the application.

7.2 The representations can be summarised as follows:

Illuminated fascia box sign would be out of character and would be contrary to the guidance as stated with the Cambridge Shopfront Design Supplementary Planning Document;  
Light Pollution and Local Residents;  
The impact on the visual appearance of the area at night;  
The signs do not respect the existing street scene of Mill Road and are too bright;

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 As explained in 5.3 above the display of outdoor advertisements can only be controlled in the interest of amenity and public safety. From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the relevant issues here are:

1. Visual Amenity and how that impacts on residential amenity;
2. Highway safety; and
3. Third Party Representations

### **Visual Amenity:**

8.2 As I have already explained, Mill Road is a diverse District Centre providing a good mix of shops and services. Among the services there are examples of many different types of signage, which range from the traditional to the modern. This particular part of Mill Road is not situated within the Conservation Area or in an area Special Advertisement Control; that said it remains important that all signage proposals are considered carefully in their context and are appropriate.

8.3 The signs proposed by this application do respect the character of the building, which although not in my opinion an attractive building, has a strong character albeit not one very sympathetic to its neighbours.

- The original design of the building clearly had a space within it proposed to accommodate advertisements (the strip which runs across the top of the glazed shopfront and is currently painted white), and the proposed fascia sign would occupy that space. The proposed blue fascia sign with only the logo lettering in the centre of the frontage illuminated would not be intrusive or out of scale or character with the building, but would respect the original design principles of the building.
  
- The proposed projecting sign is at the western end of the fascia, adjacent to the door to the offices above the retail unit.  
The projecting box itself will not be illuminated, only the lettering within it. Again, I do not think that the sign will be unreasonably intrusive or out of character with what is a relatively modern frontage. The impact of the sign when seen from the west (the bridge side) will undoubtedly be mitigated somewhat by the frontage to 163-167 being set back 1.5 metres behind the face of the launderette (161) next door; from the east (the Coleridge Road end) the sign would read against the flank wall of the projecting launderette.

8.4 Although the dark blue colour of the background is different from the white painted surface currently on display, I think it a colour that would be appropriate on the building which has a mix of dark and light colouring above the fascia.

8.5 I do consider what is proposed to be a singular improvement on the previous signage to occupy the 'fascia space' of the building, which compromised a yellow box sign with red lettering, where the whole of the box was illuminated. That said, as the sign in question has been removed from the premises, that is not immediately relevant to the consideration of the current proposal. What is more relevant is that the absence of any signage on a fascia clearly designed for that purpose, which is currently the case, leaves the building looking somewhat incomplete, though the recent painting of the fascia strip has reduced that visual incongruity.

- 8.6 In terms of the illumination, I am of the view that the illumination of the projecting sign and the lettering element of the fascia sign is acceptable and would not introduce an excessive quantity or an unreasonable or intrusive spillage of light such as to make the proposal unacceptable in this District Centre. A condition could require that the signs are not illuminated when the store is not open to the public.
- 8.7 Paragraph 14 of The Cambridge Shopfront Design Guide (Nov 1997), which is a material consideration, refers to illumination and states that *'illuminated box fascias will not be acceptable'*; it goes on to state that *'on buildings where illuminated signs are acceptable, the light source should be discreet...'*. What is being proposed here are not illuminated box signs (though that is what the last sign across the face of this building was) and I do not think that the illumination proposed, limited as it is to the lettering/logos would introduce additional lighting that would be unreasonable or unacceptably intrusive. I consider that the signs proposed would contribute to the design and character of the building and its surroundings and would complement the quality of the built environment, as required by policy 3/15 of the Cambridge Local Plan 2006, by returning signs to where they have been designed to be on the building, and thereby allowing the building as a whole to sit more appropriately in its surroundings in this part of Mill Road.
- 8.8 In my opinion the proposal would comply with the aims and objectives of Policies 3/4, and 3/15 of the Cambridge Local Plan 2006.

### **Residential amenity**

- 8.9 It is acknowledged that the site is situated within a dense residential area, but it is also necessary to recognise that this is also an important shopping frontage and district centre. As previously explained, the site is set back from the carriageway with the two buildings either side projecting 1.5m forward of the shop frontage. On that basis I do not consider that the proposal could have any material adverse impact upon the residential accommodation above the launderette (161). In my view, and given the type of illumination proposed and the presence of street lighting, the signage would have a minimal impact, if any, upon the amenity of nearby neighbours across the street. A condition requiring the illumination be switched off when the shop is not open to trade with the public, would help any

possible impact across the street. Given that background, I do not think that what is shown could have an adverse impact on residential amenity across the street that would warrant the refusal of the application.

- 8.10 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P1/3, Cambridge Local Plan (2006) policies 3/4, and 3/15.

### **Highway Safety:**

- 8.11 The County Council Highway Engineer has advised that he has no comment to make about this proposal. I am therefore satisfied that he has no objections to the signs does not consider they would have an adverse impact on the highway safety of pedestrians, cyclists or motor vehicles.
- 8.12 In my opinion the proposal is compliant with Policies 3/4, and 3/15 of the Cambridge Local Plan 2006, and Policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003.

### **Third Party Representations**

- 8.13 82 letters of objection have been received for this application who have all raised the above concerns. 130 emails have also been received raising general concerns, which I consider to have been addressed above.
- 8.14 I am not certain whether some of the objectors have understood completely what is proposed. The impression I have is that at least some parties consider that the whole of the surface of the signage, both the projecting sign and the fascia will be illuminated. As I hope has been made clear above, that is not the case.

## **9.0 CONCLUSION**

- 9.1 In conclusion, the proposed signs are considered to be acceptable and comply with the aims and objectives of the Local Plan and Structure Plan Policies. Committee is therefore asked to decide that it would have approved this application had it still been within the jurisdiction of the City Council to make a decision and not to contest the appeal, subject to asking the Inspector to grant consent subject to a condition limiting the

time when the signs may be illuminated to the times when the shop which they are to serve is open to the public for trade.

## **10.0 RECOMMENDATION**

That, had the application not been deemed refused as a result of non-determination of the application within the prescribed period of time, the City Council, would have approved this advertisement application and, therefore, resolves not to contest the appeal, excepting that in the event that the Inspector decide to grant advertisement consent, such consent be subject to a condition limiting the time when the signs may be illuminated to those times when the shop which they are to serve is open to the public for trade.

NB (Please note that if the recommendation is resolved it will still be necessary for the Committee to give clear and precise reasons.)

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.

