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| APPLICATION NO | PA/2020/390 |
| APPLICANT | FKX Ltd |
| DEVELOPMENT | Advertisement consent for the installation of two sets of LED internally illuminated built up flexface box system advertisements |
| LOCATION | Wren Kitchens, Falkland Way, Barton upon Humber, DN18 5RX |
| PARISH | Barton upon Humber |
| WARD | Barton |
| CASE OFFICER | Andrew Law |
| SUMMARY RECOMMENDATION | Grant consent subject to conditions |

REASONS FOR REFERENCE TO COMMITTEE Objection by Barton upon Humber Town Council

POLICIES

National Planning Policy Framework:

Paragraph 132 states that 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:

Advertisements

Paragraph 016 (ID: 18b-026-20140306) identifies that Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, insofar as they are material, and any other relevant factors.

Paragraph 079 (ID: 18b-079-20140306) provides guidance on considerations affecting amenity. It confirms that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. It is, however, a matter of interpretation by the local planning authority as it applies in any particular case.

In practice, ‘amenity’ is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, where residents or passers-by will be aware of the advertisement. So, in assessing amenity, the local planning authority would

always consider the local characteristics of the neighbourhood; for example, if the locality has important scenic, historic, architectural, or cultural features, the local planning authority would consider whether it is in scale and keeping with these features.

North Lincolnshire Local Plan:

Policy DS1 (General Requirements)

Policy DS18 (Advertisement Control)

Policy DS12 (Light Pollution)

North Lincolnshire Core Strategy: No specific policies of relevance.

CONSULTATIONS

Highways: No comments or objections to make.

Environmental Protection: This department considers that the information submitted is inadequate to demonstrate that the signage will not be visible from the surrounding area and therefore would recommend refusal of the application on the grounds that it is contrary to policy DS12. If approved recommend that it is conditioned that the sign not be illuminated during hours of darkness.

TOWN COUNCIL

Object to the roof-mounted illuminated sign only. The proposed roof-mounted 'Wren' sign would be 125 feet long x 25 feet high with the top of the sign at 75 feet above ground level and facing west. It is totally out of place in the buildings' rural location. When the existing factory was built, it was designed to be as unobtrusive as possible, with a great deal of thought and expense put into landscaping to shield the buildings from outside of the site boundary. The proposed roof-mounted sign would be a total illuminated area of 3100 square feet and be visible for miles around. When illuminated this would create a huge source of light pollution.

PUBLICITY

This application has been advertised by the display of a site notice. One letter of objection has been received on the following grounds:

1. It is not difficult to find the site and the entrance already has two large signs welcoming visitors. Furthermore, the landscaping has been designed to ensure that the industrial buildings are not visible from outside of the site perimeter. The base of the 'Wren' sign will be mounted facing west at 15.75 metres above ground level and have a maximum height of 23.5 metres above ground level. The sign will cast light towards the Keigar Homes housing development to the west.

The viewpoint supplied from the Keigar Homes development is taken from a point opposite the site entrance and is at a lower point than many of the properties on the housing development. The properties sites towards the Barrow Road/Falkland Way junction are set at a much higher level.

2. There is also a safety issue as the sign will be visible from the Humber Bridge. This is the only place (with the exception of the Keigar Homes development) around the town of Barton upon Humber that this sign will be seen when illuminated. Due to the size of the sign it will be a distraction to drivers on the bridge thus possibly causing them to lose concentration.
3. One other concern is that light pollution is a major concern for wildlife and we are encouraged to reduce it, this 3,100 square foot illuminated sign would be the single largest source of light pollution in the area.

ASSESSMENT

Site and surrounds

The application site is the existing Wren Kitchens factory (The Nest) located off Falklands Way on the eastern edge of the settlement of Barton upon Humber. The site is currently occupied by a large kitchen manufacturing factory set centrally within the site, with a large area of car parking to the western side of the site and extensive landscaping, including a drainage lagoon and earth bunds and tree planting around the perimeter of the site.

There is a public footpath immediately to the north of the site, with open fields beyond. To the east the site is bounded by a parcel of land which is in the ownership of the applicant and which is currently being developed under planning permission PA/2020/460 to provide a new factory building and car parking area as an extension to the existing Wren Kitchens manufacturing site. To the south the site is bounded by Options Barton, a specialist school, with the A1077 (Barrow Road) beyond. To the west the site is bounded by Falklands Way with a large housing estate beyond, which is currently being built out, with several phases already completed. The Falklands Way industrial estate sits adjacent to the north-west corner of the Wren Kitchens site and is subject to allocations for further industrial development along its eastern edge.

Constraints

The application site is located within the defined development limit for Barton upon Humber and is not located within any conservation area or adjacent to any listed building. The site is not subject to any formal ecological or landscape designation; however, the eastern edge of the Wren Kitchens site is identified as a landscaping buffer, which can be seen by the significant landscaping along this side of the site at present.

The site is located approximately 0.6 kilometres to the south of the Humber Estuary which is subject to a number of formal designations (Ramsar, SPA, SSI and SAC).

Proposed development

This application seeks advertisement consent to erect new signage to the western elevation of the existing building adjacent to the main site pedestrian entrance.

The signage comprises two sets of internally LED illuminated built up aluminium flexface box systems with white flexface skins. The first set ('wren') would be fixed to newly installed structural framework on top of the western elevation and would measure 7.675 metres high by 38 metres wide. The second set ('KITCHENS') would be fixed directly to the western elevation of the existing building and would measure 3.315 metres high by 28.36 metres wide.

Both signs would be extremely large, with the first sign sitting above the roof level of the building and the second sign sitting directly below on the western side of the building.

The only issues for consideration in the determination of this application are the potential impacts of the proposed signage on safety and amenity.

Principle

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, insofar as they are material, and any other relevant factors.

Paragraph 132 of the NPPF confirms that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Further to the above, policy DS18 of the North Lincolnshire Local plan relates specifically to the display of advertisements and as such is the most relevant development plan policy in the determination of this application. This policy states that applications for the display of adverts will be granted provided that:

- (i) the advertisement is appropriately positioned in relation to the design of the building and is of an appropriate scale; and
- (ii) the advertisement does not create a hazard to public safety; and
- (iii) advertisements are kept to the minimum to avoid clutter which would detract from the character of the building and street scene; and
- (iv) where a sign is lit, the type and level of illumination is appropriate to the location; and
- (v) the construction, materials and colour of the advertisement are sympathetic to the building and locality.

Based upon the above, it is considered that the display of advertisements in this location is acceptable in principle and that the determination of the application will be dependent upon an assessment of the potential impacts upon the amenity of the locality and public safety.

Amenity

Paragraph 079 (ID: 18b-079-20140306) of the National Planning Practice Guidance confirms that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. It is, however, a matter of interpretation by the local planning authority as it applies in any particular case.

Policy DS18 as described above considers amenity in respect of the appropriateness of the position and scale of the advertisement in relation to the building, the number of advertisements present in respect of clutter, the level of illumination, and the colour and materials used in construction.

Firstly, it must be acknowledged that both of the proposed advertisements are extremely large (7.6 metres by 38 metres and 3.3 metres by 28 metres) and that they will be visible within the wider area. As such there will be an impact upon the character and visual amenity of the area. However, the fact that an advertisement can be seen does not necessarily mean that it has an unacceptable impact on the amenity of an area. Indeed, the purpose of an advertisement dictates that it will be visible. The assessment that must be made is whether the scale of the signage proposed is appropriate for its location, bearing in mind the context of the application site and the wider locality, and the design of the building it is to be attached to.

In this instance the signage will be attached to an extremely large industrial building (approximately 375 metres by 278 metres at its longest and widest parts) that forms part of a wider industrial site, which is currently being developed. Whilst the signage is of a much larger scale than any other advertisements in the area and would be inappropriate for the vast majority of sites and buildings, the submitted visualisations demonstrate that, due to the size and scale of the existing building to which it will be attached, the signage can be accommodated in its proposed location without appearing disproportionate. In this regard it must also be noted that the applicant is in the process of constructing a further factory building to the east of the existing, under planning permission PA/2020/460, which will be of a similar footprint and taller than the existing building on site. Therefore, the advertisements will be viewed in the context of the existing very large industrial building and against the backdrop of further very large-scale development. On balance it is considered that the proposed signage will not be disproportionate to the building that it will be attached to or when considered in the context of the site.

With regard to potential impact on the amenity of neighbouring properties, consideration has to be given to the residential properties on the Keigar Homes estate off Falklands Way to the west and in particular those properties that front Orangeleaf Way and have their rear elevations facing east towards the position of the proposed signage. These properties are the nearest sensitive receptors to the proposed advertisements. Viewpoints of the site and the proposed advertisements from this housing estate have been provided as part of the application, with additional viewpoints being requested from first floor level. This viewpoint analysis shows that the signage will be visible from the residential properties to the west, but that there will be a significant degree of screening offered by existing landscaping around the site – particularly with regard to the main habitable rooms at ground floor level. The additional first floor viewpoints show that this screening will be less effective when the site is viewed from first floor windows. It is also noted that properties on Orangeleaf Way do not benefit from the same level of perimeter landscaping as those opposite the entrance to the Wren Kitchens site; however, there is a perimeter bund and landscaping adjacent to the drainage lagoon which will provide some screening from these properties, as well as scattered tree planting in the verge along the western side of Falklands Way.

Notwithstanding the existing landscape screening, it has to be acknowledged, in accordance with the concerns raised by the Environmental Protection officer, that the signage that stands proud of the building's roof will be visible from the residential properties to the west of Falklands Way, particularly when it is illuminated. As such there will be some impact upon the amenity of these properties. However, as well as the screening shown on the viewpoints, consideration must also be given to the mitigation that will be provided by the separation distance between these residential properties and the signage. The western elevation of the building where the signs are proposed is located approximately 590 metres from the rear elevation of the nearest residential property. This separation distance is

significant and when combined with the landscaping within and around the site provides mitigation against the scale of the signage and the impact on neighbouring properties.

The council's Environmental Protection department has raised specific concerns relating to the illumination of the proposed signage and the impact that this could have on residential properties. This is primarily based upon an assessment that the signage will be visible from these properties. Due to the distances involved there is no concern raised with regard to light spillage or light pollution of the properties to the west. Rather, the concerns relate to the impact on the occupiers' enjoyment of their properties. Notwithstanding the concerns raised by the Environmental Protection officer, it is considered that the significant separation distance between the signs and neighbouring properties, coupled with a degree of screening offered by existing landscaping, will provide a significant degree of mitigation in this regard. Discussions have taken place with the applicant's agent in relation to the concerns raised in respect of the illumination of the signage and a condition has been suggested which could control the hours that the signage is allowed to be illuminated. Such a condition would provide further mitigation of the impacts of the signage during the evening. The applicants have suggested a restriction preventing illumination between the hours of midnight and 6am. Having duly considered this suggestion it is considered that such a restriction would need to be in place earlier in the evening to achieve a sufficient level of mitigation. As such, it is recommended that, should the planning committee be minded to grant advertisement consent for the proposed signage, this should be subject to a condition that the signs are not illuminated between 10pm and 6am. Subject to this condition it is recommended that suitable mitigation will exist to ensure that no unacceptable loss of amenity to the neighbouring residential properties to the west will occur. It is also noted that, should objections be raised in respect of illumination following installation of the signage, the council's Environmental Protection department would retain powers to investigate the potential for a statutory nuisance under their own legislation.

Finally, with respect to amenity, consideration needs to be given to the potential impact on the general character and visual amenity of the locality. Concerns have been raised that the application site is rural in nature and that signage of this scale and with illumination would be out of keeping and harmful to the character of the area. It cannot be contested that the proposed signage will have an impact on the character of the wider area; however, it must be noted that the application site is a large and well established industrial site. Whilst the site sits on the eastern edge of the settlement, where there is a transition into the open countryside, the site immediately to the east is currently being developed as an extension to the Wren Kitchens site and will ultimately house another factory building of larger height and scale, and the associated access roads and parking areas. Both the existing site and the site of the new factory building, including their parking areas, will be floodlit. Furthermore, there is an existing industrial estate to the north-west of the site and a housing estate to the west, which both benefit from street lighting. Therefore, whilst the wider area is a mix of rural and urban, the site itself cannot be said to be located in a wholly rural setting. The proposed signage will represent the largest single source of light within this area; however, given the site context, this is not considered to be inappropriate. The lighting modules used within the signage will use LEDs and are designed to minimise light spillage. Consideration has been given to the use of external illumination, which can sometimes be less harsh visually; however, given the size of the signs and the level of lighting that would be required, this would result in significantly more light spillage and illumination of a much wider area. Once again, whilst such a large illuminated sign would not be acceptable in a lot of locations, the size and nature of the site and its surrounds, including the consented development to the east, mean that the proposed signage can be accommodated without an unacceptable impact on the character of the area.

There is a public footpath a short distance to the north of the site and other recreational paths along the southern bank of the River Humber. However, it is unlikely that these footpaths will be used frequently during the hours of darkness and the signage will be viewed in the context of a very large, established industrial development. Furthermore, the materials proposed in the construction of the signage are considered to be appropriate given the industrial nature of the site, and the proposed signage will not result in a proliferation of adverts on the building resulting in clutter.

For the reasons outlined above, and having given due regard to the concerns raised by the Environmental Protection officer, the town council and local residents, it is considered that, whilst the proposed signage will, due to its scale and illumination, have an impact on amenity, this impact would be suitably mitigated to a level which is not unacceptable.

Safety

Concerns have been raised that the signage, due to its size and illumination, would pose a danger to motorists, particularly those travelling south along the Humber Bridge. This is because the signage will be visible from the bridge, particularly during the evening when it is illuminated. Viewpoints presented with the application confirm that the signs will be visible from the Humber Bridge and the North Bank of the Humber and it is noted that at present the Wren Kitchens site can be seen when travelling along the bridge, albeit at a significant distance. The visuals demonstrate that, whilst very large, the signage will be viewed from the bridge at such a distance and relatively obtuse angle that it will not be unduly oppressive or distracting to drivers. Furthermore, the signage will be visible from a straight section of carriageway which is subject to speed restrictions. For these reasons the signage is not considered to present any unacceptable distraction or danger to motorists using the Humber Bridge.

In addition to the above, the council's Highways department has provided comment on the application and confirmed that they have no objections to the proposed advertisements with respect to highway safety.

With regard to other safety considerations, the signage will be located on the existing building which is set centrally within a large site, and is fenced off and not accessible by the public. Therefore, the signage poses no other risks to public safety.

Conclusion

The proposed advertisements are extremely large and would likely represent some of the largest, if not the largest, advertisements within the authority area. These advertisements would, due to their size and scale, be considered disproportionate and unacceptable in a large number of locations and sites. However, as detailed above, the signs are considered to be appropriate in this instance due to the context and characteristics of the application site and the surrounding area. Furthermore, separation distances to sensitive receptors and existing landscaping on and around the site will, subject to conditions, provide suitable mitigation to prevent the unacceptable impingement of residential amenity. On balance it is considered that the proposals are acceptable.

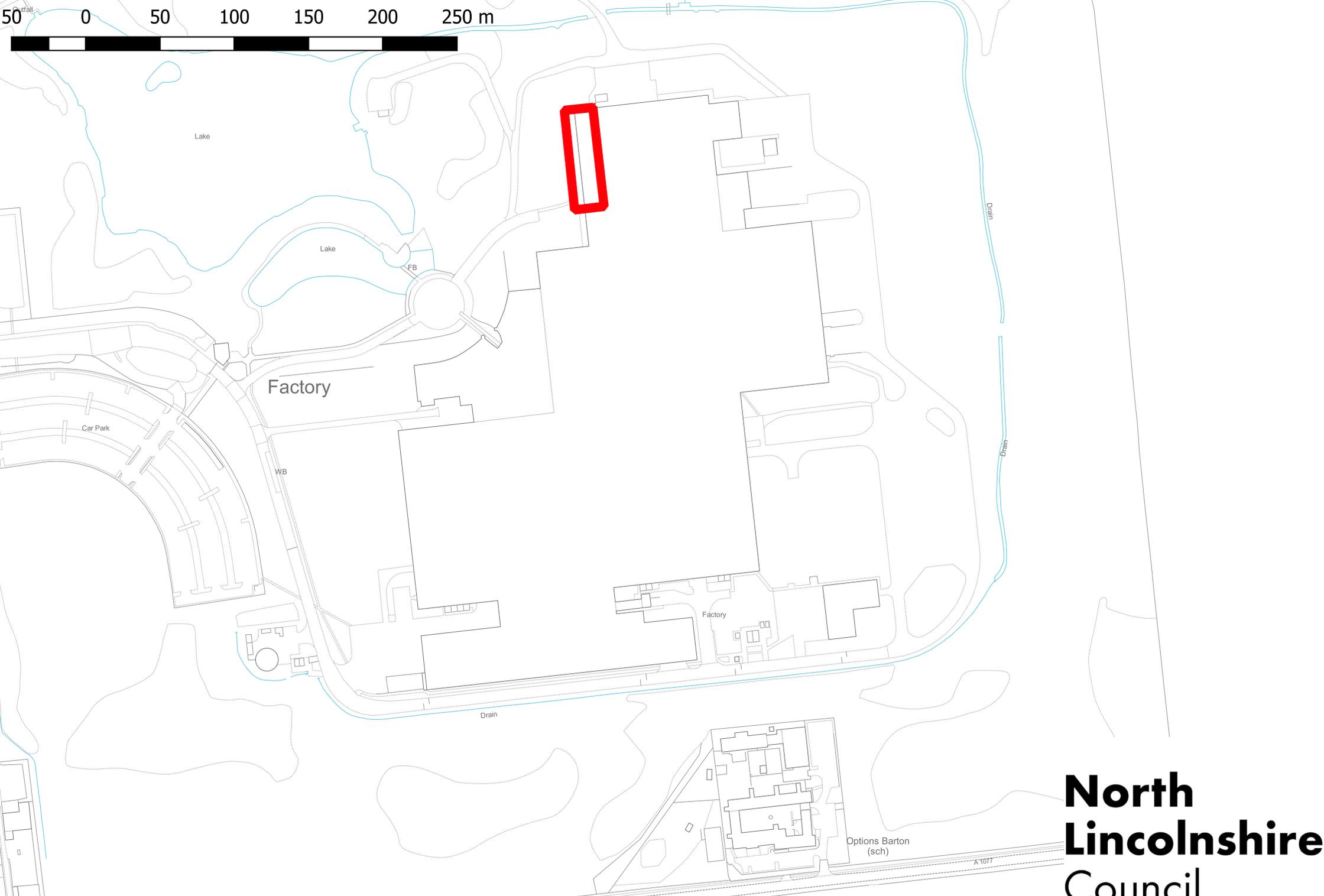
RECOMMENDATION **Grant consent subject to the following conditions:**

1.

The signage hereby approved shall not at any time be illuminated between the hours of 10pm and 6am.

Reason

To protect the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.



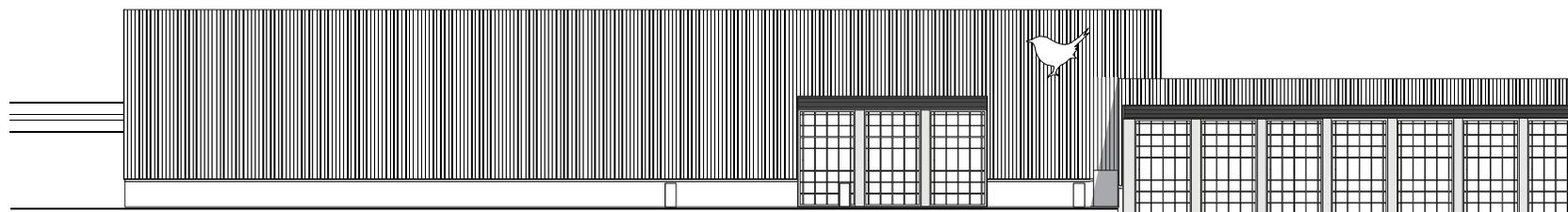
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**North
Lincolnshire
Council**

WREN – The Nest, Barton

Proposed Elevations



1:200 A1

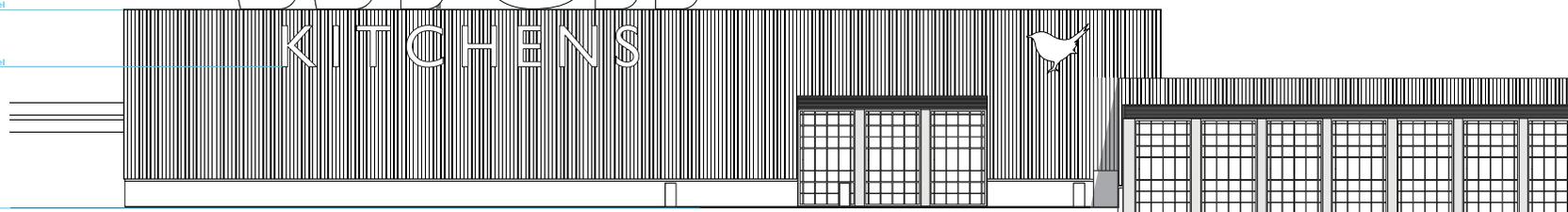
EXISTING

wren
KITCHENS

15,750mm Floor Level

11,200mm Floor Level

00,00 Floor Level



1:200 A1

PROPOSED

WREN – The Nest, Barton

Site Visuals



Existing



Proposed

WREN – The Nest, Barton

Proposed Day/Night Visuals



WREN – The Nest, Barton

Proposed Day/Night Visuals



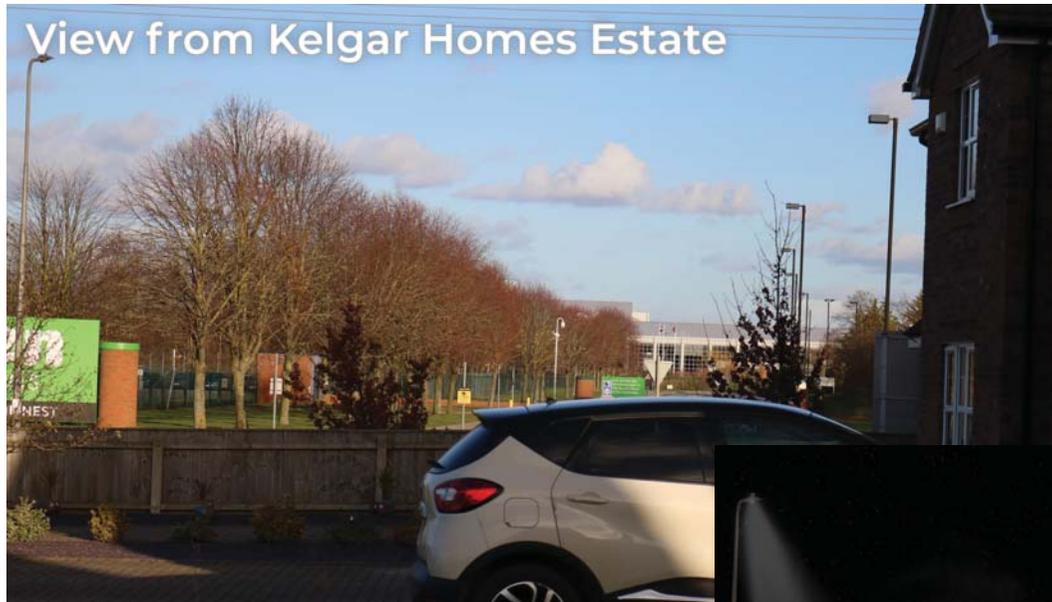
WREN – The Nest, Barton

Proposed Day/Night Visuals



WREN – The Nest, Barton

Proposed Day/Night Visuals



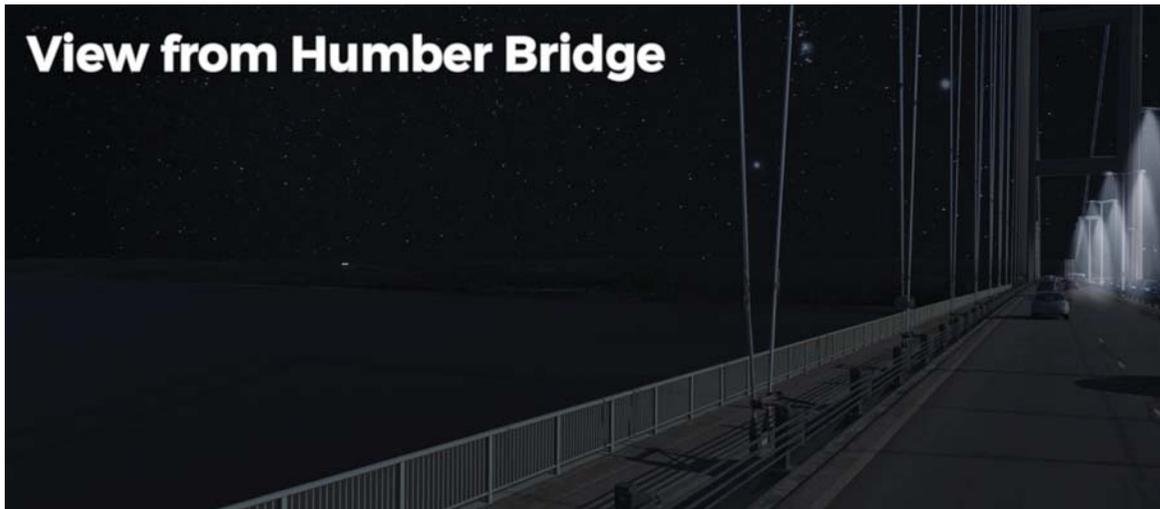
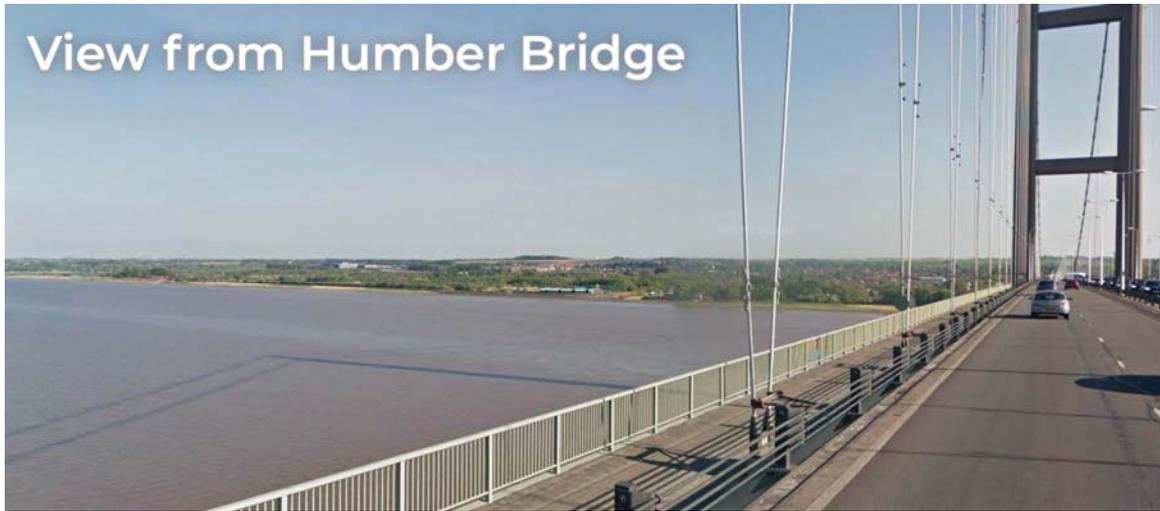
WREN – The Nest, Barton

Proposed Day/Night Visuals



WREN – The Nest, Barton

Proposed Day/Night Visuals



evated view



evated view

