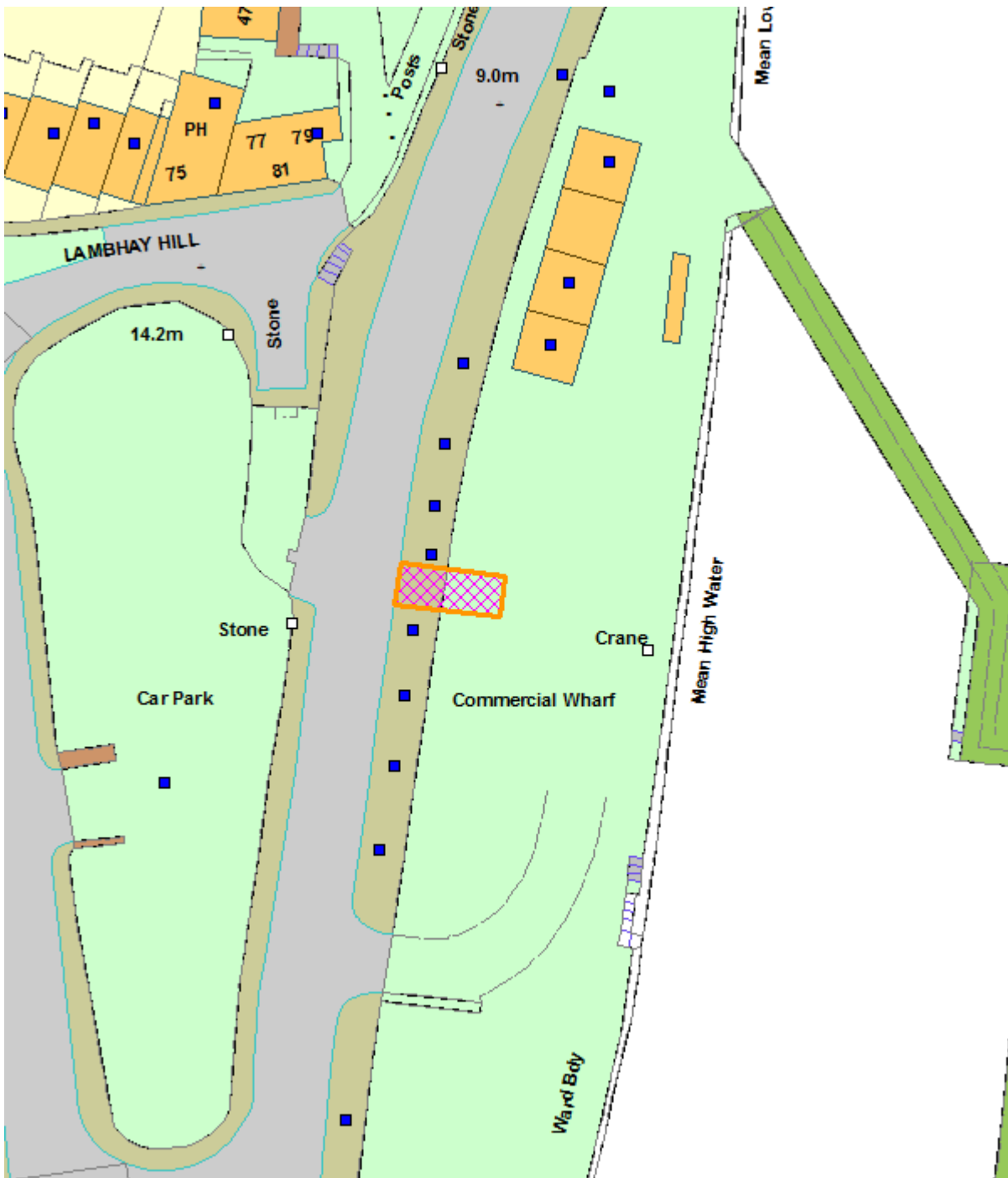


PLANNING APPLICATION OFFICERS REPORT



Application Number	21/00327/ADV	Item	02
Date Valid	04.03.2021	Ward	ST PETER AND THE WATERFRONT
Site Address	10 Commercial Wharf Madeira Road Plymouth PL1 2NX		
Proposal	Metal fabricated 'Rise and Grind' entrance signage		
Applicant	Miss Sophie Chiswell		
Application Type	Advertisement Consent		
Target Date	29.04.2021	Committee Date	23.06.2021
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Ms Abbey Edwards		
Recommendation	Grant Conditionally		



1. Description of Site

The site is one of the archway boathouse units on Commercial Wharf, south of the main Barbican shopping area. The property falls within the St Peter and the Waterfront ward of the city and the Barbican conservation area.

2. Proposal Description

This application seeks advertisement consent for 1 x fascia sign (aluminium composite panel) located above the unit entrance at 10 Commercial Wharf.

The fascia sign is non-illuminated and would measure 0.3m in height x 2.8m in width and 0.1m in depth. The sign would be located 5m above ground level.

3. Pre-application Enquiry

None.

4. Relevant Planning History

21/00082/FUL- Change of use from boat store to Cafe/Restaurant (Class E), alterations to building and frontage inc. provision of external seating area - Pending consideration

This application relates to 9 Commercial Wharf:

21/00342/FUL- Refurbishment, addition of mezzanine floor and conversion of Boathouse unit (Class D1) and forecourt to form Jet Ski Safari base and retail shop (Sui Generis) - Grant Conditionally

This application relates to 14 Commercial Wharf:

19/00690/FUL- Change of use to cafe (Class A3) - Granted conditionally

This application relates only to 13 Commercial Wharf:

17/01012/FUL - Change of use from bike hire shop (Class A1) to food outlet (Class A3) - Granted conditionally

This application relates to both 13 and 14 Commercial Wharf:

13/01542/FUL - Proposed change of use from boat storage to bicycle hire facility, including external alterations and installation of railings to access ramp to Commercial Wharf - Granted conditionally

This application relates to units 2-4 Commercial Wharf

12/02244/FUL - Change of use of Unit 3 to Class A3 (restaurant/café) including internal openings to Unit 2, 4no. parasols, decking and associated heating and lighting - Granted conditionally

5. Consultation Responses

Highway Authority - No objections.

Historic Environment Officer - No objection on heritage grounds, however the signage should be marine grade to weather the exposed coastal location.

6. Representations

None received.

7. Relevant Policy Framework

The Town and Country Planning (Control of Advertisements) Regulations 2007 paragraph 3.1 states that local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application:

- o The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020);

- o The Barbican CAAMP (2007).

8. Analysis

This application has been considered in the context of the Town and Country Planning (Control of Advertisements) Regulations 2007, the Joint Local Plan and other material policies as set out in Section 7.

Will the proposal adversely affect the character or appearance of the area and will public amenity will be adversely affected?

Officers do not consider that the proposed signage will adversely affect the visual appearance of the area. A few of the archways are currently occupied by businesses, and as a result there is already signage present on the Wharf. The proposed signage would be located above the unit entrance and its size and design is sympathetic to the unit and the wider conservation area. The signage complies with Principle 9 of the Barbican CAAMP.

The Council's Historic Environment Officer was consulted on the application and raised no objection but recommended that the aluminium composite panel is marine grade to weather the exposed coastal location. This has been acknowledged and accepted by the Applicant and an informative has been added.

Are the submitted details clear and comprehensive enough that the impacts of the proposal can be clearly understood?

Yes.

If the advert(s) are illuminated does this cause any further concerns?

The fascia lettering is non-illuminated.

Are there any highway or pedestrian or implications?

There are no highway or pedestrian concerns resulting from the proposal. The Local Highway Authority were consulted on the application and raised no objection.

Will the proposal adversely affect public safety?

The proposal raises no public safety concerns.

Is the visual amenity impact acceptable?

Officers consider the signage would be in keeping with the Wharf and the wider Barbican Conservation Area.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

There are no local finance considerations to consider.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF, S38(6) of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 04.03.2021 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 CONDITION: APPROVED PLANS

JANUARY 2021 - received 04/03/21
CNC Lettering Drwg 2 22022021 - received 22/02/21

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: 5 YEAR CONSENT

This consent shall enure for five years from the date of this notice.

3 CONDITION: PERMISSION OF OWNER

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.

4 CONDITION: TRANSPORT AND SURVEILLANCE

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 sign 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.

5 CONDITION: MAINTENANCE

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.

6 CONDITION: SAFE CONDITION

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.

7 CONDITION: REMOVAL

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.

INFORMATIVES

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: MATERIALS

The signage hereby approved should be constructed in marine grade aluminium to withstand the exposed coastal location.