

1.0 Delegated planning report

Number: 23/0473/ADV
Applicant Name: Finnegan
Proposal: Tesla letters mounted to front elevation. One face lit
Tesla logo mount to front elevation. One illuminated
totem at site entrance. Three banner flags mounted on
flag poles long side of side boundary.
Site Address: Plot K2
Matford Green
Exeter
EX2 8FN
Registration Date: 11 April 2023
Case Officer: Adam Afford
Ward Members:

2.0 Summary of recommendation

Approve

3.0 Description of site

The site is located within the Marsh Barton Industrial site and relates to the Tesla premises and car show room.

4.0 Description of development

The development seeks for the Tesla letters mounted to front elevation. One face lit
Tesla logo mount to front elevation. One illuminated totem at site entrance. Three
banner flags mounted on flag poles long side of side boundary.

5.0 Supporting information provided by applicant

Site Location Plan – Date Received: 11/04/2023

Proposed Site Plan - DWG No: CD-1.00 – Date Received: 11/04/2023

Site Details – DWG No: CD1-02 – Date Received: 11/04/2023

Proposed Elevations - DWG No: CD-3.00 – Date Received: 11/04/2023

6.0 Relevant planning history

Reference	Proposal	Decision	Decision Date
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18/1677/RES	New employment unit (application for reserved matters for appearance, landscape, layout and scale following outline permission 10/0200/OUT granted 18 March 2011)	PER	14.02.2019
20/1211/FUL	Proposed alterations and additions to existing building for use as a commercial laundry operation to include new external plant (including water tank, boiler house, gas house and water pits), and electrical substation.	PER	22.12.2020
21/0827/ADV	Double sided totem sign; 4 No - Single sided post signs; 3 No - Non illuminated Flex-face signs.	PER	01.06.2021
21/1103/DIS	Discharge of condition 19 (BREEAM) of outline application 10/0200/OUT granted consent 11 March 2011 in relation to reserved matters application 21/0509/RES	PER	03.08.2021

22/0469/FUL	Motor vehicle dealership for the sale of new and used motor vehicles including showroom, service centre workshop, bodyshop, with ancillary office space and ancillary storage, electric charging points, parking, landscaping including external wash bay housing, canopy and vehicular access.	PER	21.10.2022
22/0503/RES	Proposed two storey building of 1,062 sqm. to provide mixed employment uses (B1, B2 and B8) on Plot K1.	PER	21.07.2022
23/0165/NMA	Non-material amendment to approval 22/0469/FUL for 1. Proposed cladding colour from Bunny Grey RAL 860-1 to Oyster RAL 7035, 2. Change entrance doors within feature curtain glazing and 3. Change parking spaces / hard landscaping along building frontage	PER	20.02.2023
23/0473/ADV	Tesla letters mounted to front	PCO	

elevation. One face
lit Tesla logo mount
to front elevation.
One illuminated
totem at site
entrance. Three
banner flags
mounted on flag
poles long side of
side boundary.

10/0200/OUT

Development to
provide mixed
employment uses
(All matters
reserved for future
consideration).

PER

18.03.2011

7.0 Consultations

None

8.0 Representations

None

9.0 Relevant policies

National Planning Policy Framework (NPPF)
12. Achieving well-designed places

Planning Practice Guidance (PPG)

Core Strategy (Adopted February 2012)

CP17 – Design and Local Distinctiveness

Exeter Local Plan First Review 1995-2011 (Adopted 31 March 2005)

DG8 - Advertisements

Development Delivery Development Plan Document (Publication Version, July 2015)

DD25 - Design Principles

10.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

The consideration of the application in accordance with Council procedures will ensure that views of all those interested are considered. All comments from interested parties have been considered and reported within this report in summary with full text available via the Council's website.

Any interference with property rights is in the public interest and in accordance with the Town and Country planning Act 1990 regime for controlling the development of land. This recommendation is based on the consideration of the proposal against adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

11.0 Public sector equalities duty

As set out in the Equality Act 2010, all public bodies, in discharging their functions, must have "due regard" to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:

- a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
- c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010.

12.0 Planning assessment

The proposed signage is of a scale and design that will not have a detrimental effect to the wider character of the setting and will have no negative impact to neighbouring premises or impact highways safety.

Therefore, the proposal is considered compliant with the development plan, specifically policy DG8 as it (i) would not be harmful to visual amenity in the local townscape; and (ii) would not be harmful to public safety including the safety of the highway.

13.0 Recommendation

Approve subject to conditions

Conditions:

- 1) a. 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.
- b. No advertisement shall be sited or displayed so as to
 - i. endanger persons using any highway or railway or waterway or dock or harbour or aerodrome civil or military
 - ii. obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air or
 - iii. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- c. 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.
- d. 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.
- e. The consent hereby granted shall expire at the end of the period of five years beginning with whichever is the earlier of
 - i. the date on which the display of the advertisement commenced or
 - ii. the date three months after the date of this consentand any advertisement being displayed at the expiry of this consent shall be removed forthwith.
- f. Where an advertisement is required by the foregoing condition to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In accordance with the provisions of the Town and Country Planning Regulations 2007.

2) The advertisements hereby permitted shall not be displayed otherwise than in strict accordance with the submitted details received by the Local Planning Authority on date including drawing numbers.

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Reason: In order to ensure that the advertisements display is or are carried out in accordance with the approved drawings.

Informatives:

1) In accordance with the Conservation of Habitats and Species Regulations 2017, this development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature and scale of the development it has been concluded that the proposal does not require an AA.

2) In accordance with Paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.