

## **PENRITH CITY COUNCIL**

### **STATEMENT OF ENVIRONMENTAL EFFECTS**

### **DEVELOPMENT APPLICATION FOR PYLON SIGN**

**MG PENRITH  
2166 CASTLEREAGH ROAD PENRITH NSW 2750**

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### SITE DETAILS

<b>Address</b>	2166 Castlereagh Road Penrith NSW 2750
<b>Lot on Plan</b>	Lot 32 DP1180330
<b>Local Authority</b>	Penrith City Council
<b>Local Environmental Plan</b>	Penrith Local Environmental Plan 2010
<b>Development Control Plan</b>	Penrith Development Control Plan 2014
<b>Zone</b>	IN1 General Industrial
<b>Overlays</b>	Height of Building (12m), Scenic Protection Land (Scenic & Landscape Values)

### DEVELOPMENT PROPOSAL DETAILS

<b>Level of Assessment</b>	Permitted with consent
<b>Proposal Summary</b>	Pylon sign
<b>Assessment Controls</b>	Penrith Local Environmental Plan 2010, Penrith Development Control Plan 2014
<b>Applicant</b>	Major Media C/- Platinum Planning Solutions

### REVISION DETAILS

<b>Version</b>	1.0
<b>Prepared by</b>	James Connolly (BUrbanEnvPlan, GCHM, MPIA)
<b>Signed</b>	
<b>Date</b>	16/06/2020

## **1.0 INTRODUCTION**

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of Major Media (the applicant) to accompany a development application to the Penrith City Council over land located at 2166 Castlereagh Road Penrith (the subject site).

The development application seeks development consent for a pylon sign for business identification purposes for MG Motor.

This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of the planning considerations relevant to the proposed development.

The proposed works are seen to be consistent with the envisioned use of the site as a commercial premises and is seen to be a positive addition to the building and area as a whole. This Statement of Environmental Effects is to be read in conjunction with the attached plans, elevations, and supporting documents.

## **2.0 SITE DESCRIPTION AND CONTEXT**

## **2.1 Subject Site**

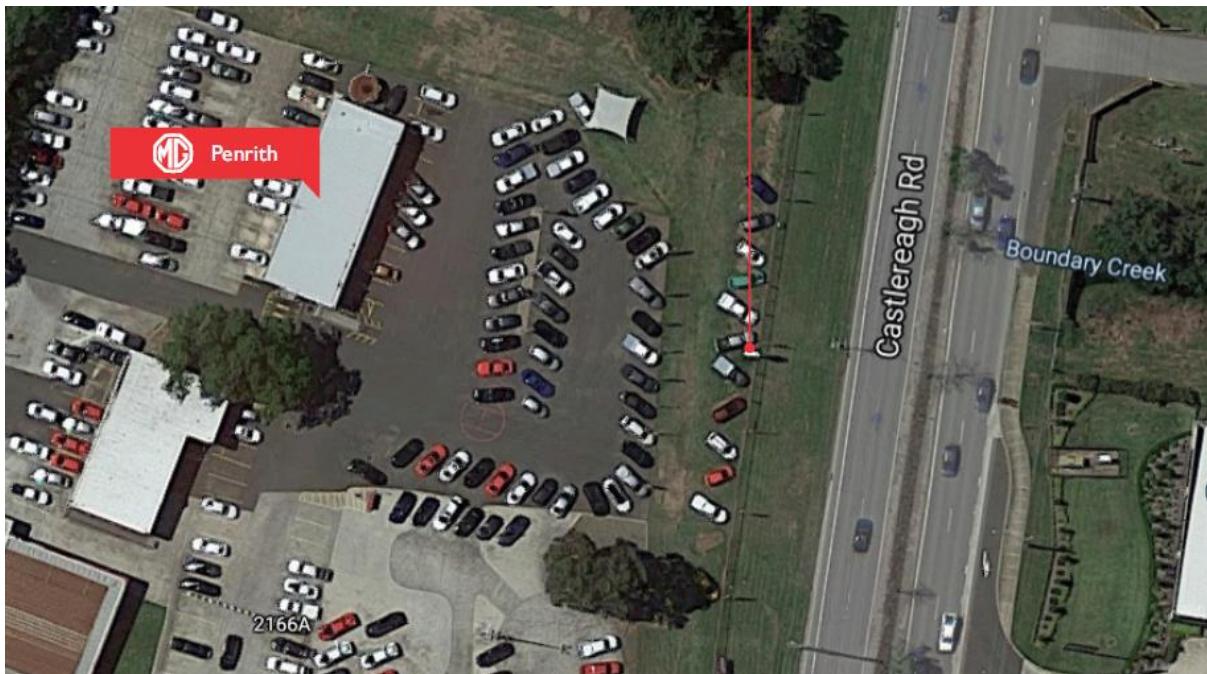
The subject site is located at 2166 Castlereagh Road Penrith and is formally described as Lot 3 on DP1180330. The site is oddly rectangular in shape with a primary corner frontage to Castlereagh Road and Mullins Road. The site is improved by a commercial building which is utilised as a vehicle sales and service premises as well as an on-site car park. Access to the site is granted from the vehicular crossovers to Mullins Road. The surrounding land uses consists of a mix of commercial style industrial premises in addition to vacant parkland. The location of the site is indicated below in Figure 1 to 5 respectively.



**Figure 1:** Subject Site Location



**Figure 2:** Subject Site Location



**Figure 3:** Site Plan



**Figure 4:** Subject Site Streetview

## **2.2 Context and Background**

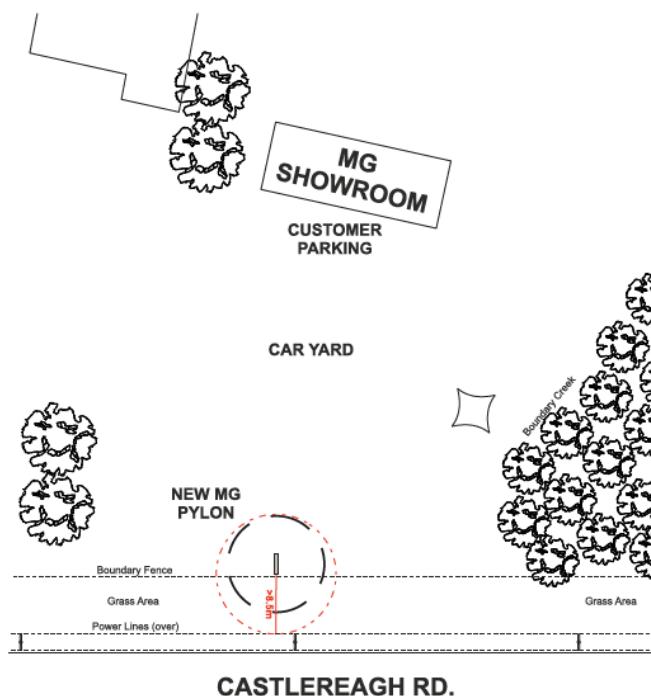
MG occupy part of the subject site and are proposing to install a new pylon sign for business identification purposes to replace an existing pylon sign.

### **3.0 PROPOSED DEVELOPMENT**

The aspects of the proposed development are as follows, as per the attached proposed plans and elevations:

Aspect	Details
Pylon Sign	<ul style="list-style-type: none"> <li>• 1000mm (H) x 2572mm (W) x 512mm (D) MG pylon sign with internally illuminated logo.</li> </ul>

The proposed works will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate. For further details on the proposed development please refer to the attached plans and supporting documents.



**Figure 5:** Location of proposed pylon sign



**Figure 6:** Render of proposed pylon sign

## **4.0 TOWN PLANNING ASSESSMENT**

### **4.1 Environmental Planning and Assessment Act 1979**

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
  - i. *any environmental planning instrument, and*
  - ii. *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - iii. *any development control plan, and*
  - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
  - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
  - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- b. *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Penrith Local Environmental Plan 2010;
- Penrith Development Control Plan 2014
- State Environmental Planning Policy No 64 – Advertising and Signage.

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.5 of this report.

### **4.2 Penrith Local Environmental Plan 2010**

The Penrith Local Environmental Plan 2010 (LEP) is the principle local planning instrument that applies to the site.

#### **4.2.1 Zoning & Permissibility**

The subject site is zoned as IN1 General Industrial under the LEP. The objectives of the zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*

- *To support and protect industrial land for industrial uses.*
- *To promote development that makes efficient use of industrial land.*
- *To permit facilities that serve the daily recreation and convenience needs of the people who work in the surrounding industrial area.*

The proposed works relate to an existing “vehicle sales or hire premises” approved under DA12/0192, with the proposed signage being for business identification purposes relating to MG. The proposed works meet the objectives of the zone and encourages ongoing investment in the area and is seen as a desirable outcome.

#### **4.2.2 Maximum Building Height (Clause 4.3)**

The proposed works will not exceed the maximum allowable height of building of 12, and therefore complies with Clause 4.3 of the LEP.

#### **4.2.3 Floor Space Ratio (Clause 4.4)**

There is no proposed increase in floor area, therefore Clause 4.4 of the LEP is not applicable.

#### **4.2.4 Heritage Conservation (Clause 5.10)**

The site is not part of a heritage conservation area and is not listed as a heritage item, or in proximity to any heritage items, therefore Clause 5.10 of the LEP is not applicable.

#### **4.2.5 Protection of Scenic Character and Landscape Values**

The proposed pylon sign is to replace an existing pylon sign which is of a generically similar sign. The proposed pylon sign will not adversely impact on the visual amenity of the surrounding area or block or disrupt any important views or vistas.

#### **4.3 Penrith Development Control Plan 2014**

The Penrith Development Control Plan 2014 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

Control	Compliance	Comments
C9 Advertising and Signage		
9.1 General Requirements for Signs		
1) General		
a) Signs are to be designed and located to: <ul style="list-style-type: none"> <li>i) relate to the use of the building;</li> <li>ii) be visually interesting and exhibit a high level of design quality;</li> <li>iii) be constructed of high quality, durable materials;</li> <li>iv) be wholly contained within the property;</li> </ul>	Complies	<p>The proposed pylon sign relates to the approved use of the building and is visually interesting. The proposed sign is of a high level of design quality and will be constructed of high quality, durable materials</p> <p>The pylon sign will be wholly located within the property boundaries and will not impact on the amenity of the surrounding area.</p>

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
<p>v) have only a minimal projection from the building;</p> <p>vi) be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes and colours, and ensure that architectural features of the building are not obscured;</p> <p>vii) have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and</p> <p>viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.</p>		
b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products; e.g. soft drinks, brewers, photographic film, etc) are not permitted.	Complies	The proposed pylon sign will not contain additional advertising or services not related to the use of the premises.
c) Signs painted or applied on the roof are prohibited;	Complies	No signs are proposed on the roof.

Control	Compliance	Comments
d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.	Complies	The proposed colours of the pylon sign achieve a desirable urban design outcome and are of a high quality and finish.
f) In considering applications for new signs, Council must have regard to the number of existing signs on the site and in its vicinity; whether that signage is consistent with the provisions of this section; and whether the cumulative impact gives rise to visual clutter.	Complies	The proposed pylon sign is to replace an existing pylon sign.
g) Signs must not involve damage, removal or pruning to trees or other vegetation and must not result in pruning or removal for visibility purposes.	Complies	There is no damage, removal or pruning to trees or other vegetation proposed.
h) The dominant design of any sign must relate to business identification rather than product advertising.	Complies	The proposed sign is for business identification purposes with no product advertising.
<b>2) Signs and Road Safety</b>		
a) Signs are regarded as prejudicial to the safety of the travelling public and are therefore prohibited if they: <ul style="list-style-type: none"> <li>i) Obscure or interfere with road traffic signs and signals or with the view of oncoming vehicles or pedestrians;</li> <li>ii) Obscure or interfere with the view of a road hazard or an obstruction which should be visible to drivers or other road users;</li> <li>iii) Give instructions to traffic by use of the</li> </ul>	Complies	The proposed pylon sign will have no adverse impacts on road safety.

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
word 'stop' or other directions, which could be confused with traffic signs; iv) Include variable messages or intensity of lighting sufficient to impair drivers' vision or distract drivers' attention; or v) Are located in places where drivers' require greater concentration, such as at major intersections or merging and diverging lanes.		
<b>3) Inappropriate Signs</b>		
a) Council will not support an application for an advertisement of a form, type or size described below (see Figure C9.1 for example illustrations): i) Roof signs; ii) Sky signs controlled from the land; iii) Signs painted on or applied on the roof; iv) Flashing signs; v) Signs made of canvas, calico or the like (other than a temporary sign); vi) Signs displayed on an awning blind or external window blind; vii) Hoardings (excluding those required during construction); viii) Billboards; ix) Bulletin boards; x) Signs in the nature of posters attached	Complies with intent – variation requested	The proposed sign is a pylon sign for a car sales premises, which is permitted as per Point xiii. While it is noted that the proposed pylon sign exceeds the 7m high height limit, noting the size of the site and the existing streetscape, the proposed variation to have a 10m high pylon sign will have no adverse amenity impacts. The LEP allows a maximum building height of 12m, so therefore the DCP variation should be fully supported as the proposed pylon sign will not contribute to visual clutter or block any important views.

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
<p>directly onto walls, roof surfaces or any street furniture;</p> <p>xi) Signs mounted on parked or stationary motor vehicles, trailers (both registered and unregistered) where the principal purpose of the vehicle or trailer is not for the transportation of goods or people but is parked in a location and position as an advertising medium;</p> <p>xii) A-frame or sandwich board signs (except where specific controls have been prepared and adopted by Council);</p> <p>xiii) Pole or pylon signs, except for industrial, business park, service station or shopping centre uses which are permitted one pole or pylon signs with the maximum height not in excess of 7.0m;</p> <p>xiv) Signs that are located on land which advertises businesses that are not being conducted on that land;</p> <p>xv) Vertical or horizontal projecting signs;</p> <p>xvi) Fin signs; and</p> <p>xvii) Above awning signs.</p>		
<i>4) Desirable Signage Design</i>		
a) The following signs are permitted by Council (see	Noted	Noted.

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
Figure C9.2 for example illustrations): i) Fascia signs; ii) Under awning signs; iii) Flush wall signs; iv) Top hamper signs; v) Painted window signs; and vi) Advertising panel signs.		
<b>9.4 Commercial, Mixed Use and Industrial Zones</b>		
1) Applicants intending to erect a sign (advertisement) should first consult the relevant environmental planning instrument applying to the subject property to determine whether or not an advertisement requires development consent.	Noted	Development consent required as the proposed pylon sign is not exempt development.
2) All advertising is to be – a) constructed of high quality, durable materials; b) considered in conjunction with design and construction of buildings; c) restricted to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and d) contained wholly within the site.	Complies with intent – variation requested	The proposed pylon sign will be of high quality durable materials and has been designed in accordance with signage expected for a site of this nature. While it is noted that the DCP restricts signage to one sign identifying the name of the occupants, the proposed pylon sign is to replace an existing pylon sign in the same location. The sign is wholly located within the site, and noting the overall size of the site with its multiple frontages, the proposed DCP variation should be supported as the proposed signage will not result in visual clutter.
3) Signs should generally be confined to the ground level of the building, awning or fascia, unless it can be demonstrated that the building is of a scale, architectural style and in a location that would be enhanced by signage at	Complies	The proposed pylon sign is located on the ground.

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
different elevations (see Figure C9.3 below).		
4) The sign is to be contained fully within the confines of the wall or awning to which it is mounted.	N/A	N/A not located on a wall or awning.
5) In the case of multiple occupancy of a building or site: <ul style="list-style-type: none"> <li>a) Each development should have a single directory board listing each occupant of the building or site (see Figure C9.4 below). Multiple freestanding signs will not be supported;</li> <li>b) Only one sign is to be placed on the face of each premises either located on or over the door of the shop, unit, office, suite, etc.;</li> <li>c) One under awning sign shall be permitted for each shop, unit, office, suite, etc. (see Figure C9.5). In the case where the shop, office, suite etc. has more than one street frontage, one under awning sign may be permitted to each street frontage;</li> <li>d) The minimum distance between under awning signs shall be 3m (see Figure C9.6); and</li> <li>e) Where possible, multiple tenancies in the same building should use consistent sign size, location and design</li> </ul>	Complies with intent – variation requested	While it is noted that the DCP restricts signage to one sign identifying the name of the occupants, the proposed pylon sign is to replace an existing pylon sign in the same location. The sign is wholly located within the site, and noting the overall size of the site with its multiple frontages, the proposed DCP variation should be supported as the proposed signage will not result in visual clutter.

<b>Control</b>	<b>Compliance</b>	<b>Comments</b>
to avoid visual clutter and promote business identification.		
6) Projecting wall signs, generally, will not be supported unless it can be demonstrated to be of an architectural style which is particularly suited to that building in relation to its design.	N/A	N/A no projecting wall signs proposed.
7) Illuminated signs are not to detract from the architecture of the supporting building during daylight.	Complies	The proposed illumination will not detract from the signage structure.
8) Illumination (including cabling) of signs is to be: <ul style="list-style-type: none"> <li>a) Concealed; or</li> <li>b) Integral with the sign; or</li> <li>c) Provided by means of carefully designed and located remote or spot lighting.</li> </ul>	Complies	The proposed illumination and associated cabling will be entirely concealed within the signage structure and is an integral part of the sign.
9) The ability to adjust the light intensity of illuminated signs is to be installed where Council considers it necessary.	Noted	May be conditioned by council as considered necessary.
10) A curfew may be imposed on the operation of illuminated signs where continuous illumination may impact adversely on the amenity of residential buildings, serviced apartments or other tourist and visitor accommodation, or have other adverse environmental effects.	Noted	Hours of illumination may be conditioned by council as considered necessary.
11) Up-lighting of signs is prohibited. Any external lighting of signs is to be downward pointing and focused directly on the sign and is to prevent or minimise the escape of light beyond the sign.	Complies	No up-lighting of signage proposed.

#### **4.4 State Environmental Planning Policy No 64 – Advertising and Signage**

State Environmental Planning Policy No. 64 (SEPP 64) aims to ensure that signage is compatible with the desired amenity and visual character of an area and regulates specific signage outcomes. Part 2, Section 8 of SEPP 64 states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage satisfies the assessment criteria specified in Schedule 1. An assessment against Schedule 1 – Assessment Criteria of SEPP 64 is included below:

<b>Control</b>	<b>Assessment</b>
<b>1. Character of the area</b>	
<ul style="list-style-type: none"> <li>• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	<ul style="list-style-type: none"> <li>• Yes, the signage is compatible with the existing area that contains a number of advertising opportunities for commercial and retail premises alike.</li> </ul>
<b>2. Special areas</b>	
<ul style="list-style-type: none"> <li>• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>	<ul style="list-style-type: none"> <li>• No, the proposed signage will not detract from the visual amenity or quality of the area.</li> </ul>
<b>3. Views and vistas</b>	
<ul style="list-style-type: none"> <li>• Does the proposal obscure or compromise important views?</li> <li>• Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>• Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed signage does not obscure any views, and it respects the viewing rights of other advertisers.</li> </ul>
<b>4. Streetscape, setting or landscape</b>	
<ul style="list-style-type: none"> <li>• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>• Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>• Does the proposal screen unsightliness?</li> <li>• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>• Does the proposal require ongoing vegetation management?</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed signage will be consistent with the scale, proportion and form of the area and surrounding future signage. The proposed signage will contribute to visual interest of the area. The proposed signage will be minimal, in order to prevent visual clutter, and to keep signage simple and conducive to the requirements of SEPP 64. The signage will not require ongoing vegetation management.</li> </ul>
<b>5. Site and building</b>	
<ul style="list-style-type: none"> <li>• Is the proposal compatible with the scale, proportion and other characteristics of the</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed signage is compatible with the existing building and is visually interesting</li> </ul>

Control	Assessment
<p>site or building, or both, on which the proposed signage is to be located?</p> <ul style="list-style-type: none"> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	while being minimal in nature. The signage respects important features of the building and will not adversely affect the amenity of the surrounding area.
<b>6. Associated devices and logos with advertisements and advertising structures</b>	
<ul style="list-style-type: none"> <li>• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed signage has been designed as an integral part of the ground floor façade with the logo and text being an integral part of the signage.</li> </ul>
<b>7. Illumination</b>	
<ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Is the illumination subject to a curfew?</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed illumination of the signage will not result in unacceptable glare as the illumination is internal and will have appropriate limits in place. The illumination of the signage will not affect the safety of pedestrians, vehicles or aircraft and will not detract from the amenity of the surrounding area noting the established commercial setting of the site</li> </ul>
<b>8. Safety</b>	
<ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or cyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed signage will not reduce safety as sightlines will not be significantly affected and there will be no cause of distraction for drivers. The proposed signage will not reduce existing safety for pedestrians and cyclists. The proposed signage does not obscure sightlines from public areas.</li> </ul>

#### **4.5 Section 4.15 Assessment**

In determining a development application, the assessing consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
<p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p> <p>a) the provisions of:</p> <ul style="list-style-type: none"> <li>(i) any environmental planning instrument, and</li> <li>(ii) any proposed instrument that is or has been the subject of public consultation</li> </ul>	<p>a) The proposed pylon sign aligns with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed sign is seen to meet all the relative</p>

<b>Evaluation</b>	<b>Assessment</b>
<p>under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</p> <p>(iii) any development control plan, and</p> <p>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</p> <p>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</p> <p>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),</p> <p>that apply to the land to which the development application relates,</p> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p> <p>c) the suitability of the site for the development,</p> <p>d) any submissions made in accordance with this Act or the regulations,</p> <p>e) the public interest.</p>	<p>controls and is seen as a good outcome for the subject site.</p> <p>b) The proposed pylon sign addition will not have any negative impacts on the surrounding land uses considering the commercial setting of the site and exiting use of the site.</p> <p>c) The tenancy is part of a building which is envisioned for a commercial use of this nature. The proposed pylon sign for business identification purposes is considered appropriate.</p> <p>d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly.</p> <p>e) The proposed works are to an established commercial site and are seen to be in the public's interest through the continuation of an envisioned use.</p>

## **4.6 Other Considerations**

### **4.6.1 Amenity**

The proposed pylon sign addition will not detract from the amenity of the surrounding area. It is considered that the proposed works introduce a positive design outcome and is seen to be a beneficial addition to the site and the area as a whole.

### **4.6.2 Landscaping**

The proposed development does not include any changes to landscaping.

### **4.6.3 Waste Management**

Waste will be managed appropriately and can be conditioned accordingly.

### **4.6.4 BCA Compliance**

The proposed works are capable of complying with the BCA which will be subject to a detailed assessment prior to the issue of a Construction Certificate and can be conditioned accordingly.

## **5.0 CONCLUSION**

This Statement of Environmental Effects has reviewed the proposed pylon sign addition for MG. It is considered that the proposed development, which is permissible with consent, is appropriate for the subject site and will not impact on the amenity of the surrounding area. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.