

Application Number:	2019/0298	Application Type:	Full
Proposal:	Externally illuminated fascia sign across both units	Location:	14-16 Bury Road Rawtenstall
Report of:	Planning Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	1 October 2019
Applicant:	Mr & Mrs Jones	Determination Expiry Date:	4 October 2019
Agent:			

Contact Officer:	Neil Birtles	Telephone:	01706-238645
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REASON FOR REPORTING	
Outside Officer Scheme of Delegation	
Member Call-In Name of Member: Reason for Call-In:	Cllr Steve Hughes Given the sensitivities around signage etc, would like this decision made by councillors.
3 or more objections received	
Other (please state):	

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:-

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

Refusal for the reasons set out in Section 10 of the report.

2. SITE

Earlier this year the Applicants obtained permission to extend the micro-pub they have been operating from 16 Bury Road - the ground-floor of a mid-terraced unit within a 3-storey building that faces the Queens Square roundabout - into the adjacent ground-floor unit, 14 Bury Road. No 14 had last been occupied by Civic Pride Rossendale and before that by Cartridge World.



The resulting pub stands between the Tiger Lounge (No 12) and a hair salon (No 18), the above two floors of this building of separately accessed and occupied.

The building is of 'traditional' design and stone/slate construction. The front elevations of No 14 and No 16 both possess shopfronts with external shutters, No 16 possessing an unauthorised illuminated fascia sign advertising the business, called 'Casked'

This building is located within Rawtenstall Town Centre, forming part of a Secondary Shopping Frontage. It is also within the Conservation Area, the Character Appraisal for which identifies this building as a Building of 'High Quality'. Nearby Listed Buildings include the Grade II Queens Arms (on the opposite side of Bacup Road) and the Grade II Library & Grade II* War Memorial (to the opposite side of Queens Square roundabout).

3. RELEVANT PLANNING HISTORY

2017/0363 Change of use of ground floor from office to micro pub

16 Bury Road, Rawtenstall

Approved by Committee, in accordance with the Officer Recommendation.

2019/0093 Change of use of ground floor Office to form extension to Micro Pub at 16 Bury Road

14 Bury Road, Rawtenstall

Approved by Officers

4. PROPOSAL

By way of this application Advertisement Consent is sought for an illuminated fascia signs to the front of both No 14 and No 16.

The Applicants have advised :

In respect of No 16

“We removed a bulky, protruding, rather dated lightbox sign and commissioned a low-profile, di-bond (printed aluminium) sign similar in style and size to other business signs along the row...the effect was rather gloomy at night. We therefore erected discreet, black painted, low wattage led spotlights, projecting on slim, black painted stem supports.”

In respect of No 14

“We are seeking permission to continue with the style, materials and size of signage and lighting that we have thus far utilised at number 16, allowing the fascia sign to look as it does in the graphic representation...”



5. POLICY CONTEXT

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 6 Building a Strong, Competitive Economy
- Section 7 Ensuring the Vitality of Town Centres
- Section 12 Achieving Well-Designed Places
- Section 16 Conserving and Enhancing the Historic Environment

Development Plan Policies

Rossendale Core Strategy (2011)

- AVP 4 Area Vision for Rawtenstall, etc
- Policy 1 General Development Locations and Principles
- Policy 16 Preserving and Enhancing Rossendale's Built Environment
- Policy 23 Promoting High Quality Design and Spaces

Other Material Considerations

National Planning Practice Guidance

RBC Rawtenstall Town Centre Conservation Area Character Appraisal (2011)

RBC Shopfront Design Guide SPD (2012)

6. CONSULTATION RESPONSES

RBC Conservation

Objection

LCC Highways

No objection, subject to Conditions

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted and letters were sent to neighbours.

No comments have been received.

8. ASSESSMENT

The Advertisement Regulations make it clear that in the determination of this application the Council can consider only 2 issues :

- 1) The Interests of Amenity; &
- 2) Public Safety

Interests of Amenity

The proposed scheme will not detract to an unacceptable extent from the amenities of neighbours.

However, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to :

- have special regard to the desirability of preserving Listed Buildings, their settings or any features of special architectural or historic interest they possess; &
- pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Paragraph 131 of the NPPF states:

“In determining planning applications, local planning authorities should take account of :

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.”*

Policy 16 of the Council's adopted Core Strategy seeks to preserve and enhance Rossendale's historic built environment by :

"Promoting the positive management of the Borough's heritage assets, avoiding unnecessary loss and requiring appropriate mitigation of any negative impacts.

Ensuring that all development is :

- a. Located in a way that respects the distinctive quality of the historic landscape and setting and retains or enhances the character and context;*
- b. Of a high standard of design, reinforcing the local distinctiveness of Rossendale."*

In 2012 the Council adopted the Shopfront Design Guide SPD. Its Introduction states :

"Shopfronts are a vital part of Rossendale's economic life. They are the window through which businesses are advertised and promoted, and are intended to be eye-catching and distinctive. They are also a highly visible part of the Borough's physical fabric, lending character to our towns and villages. Where the appearance of shopfronts has deteriorated, the environmental and commercial quality of an entire area can be undermined.

The guide encourages good practice in the design of new shopfronts and the improvement of existing frontages. It provides advice on the principles of good design and recommendations on issues such as the detailing of fascias, signage and security measures. Its objective is to encourage design practices which meet the commercial requirements of local businesses whilst also providing shopfronts that are in keeping with the character, scale and appearance of Rossendale's townscape."

With respect to Signage the Shopfront Design Guide SPD states :

"The shop name on the fascia is the distinctive feature that makes the shopfront stand out from its neighbours, provides a brand for the business, and attracts customers... The preferred approach is for signage that conveys essential information simply and clearly, and is scaled and detailed to complement the overall shopfront design and streetscape. Complex, fussy and poorly detailed graphics add to visual clutter and should be avoided.

The use of traditional materials will be encouraged, and will be required for Conservation Areas and Listed Buildings. Wood should normally be used for signage, painted in a colour to match the rest of the shopfront and the setting, with hand painted lettering.

The nature of the business will dictate the type of lettering used, but the setting should also be taken into account. Avoid graphics and typeface designs which are too large within the frame of the fascia, or make use of excessive colour and texture contrasts. For traditional shopfronts, lettering should normally be hand painted by a sign writer, or formed from separate letters of wood, bronze or brass. Plastic lettering will be considered, although it is less likely to be acceptable in Conservation Areas or on Listed Buildings.

Internally illuminated box signs and projecting box signs will not be permitted in Conservation Areas and on Listed Buildings, and their use will be discouraged elsewhere. The Council prefers design solutions which make use of indirect illumination, either from existing street lighting, or security lighting left on within the shop...Where direct illumination can be justified by the applicant, it should be provided as down lighting, either by spot lamps of appropriate design or by trough lighting concealed within the profiles of the fascia's cornice. In exceptional cases illuminated signs using halo lighting or internally lit individual letters may be acceptable subject to an appropriately designed overall layout."

In this instance the Council's Conservation Officer advised as follows :

"The site applying for advertisement consent is located within the Rawtenstall Conservation Area and is identified as a building of high quality. The applicant already occupies one of the buildings and has recently been granted approval to extend into the neighbouring building - it is positive to see the business is thriving. It is noted that the existing illuminated signage never gained consent and the assessment is therefore on the acceptability of the existing signage and the proposed small extension onto the neighbouring frontage.

Looking at the surrounding area there is a mix of signage some being long standing and some more recent, some of which if considered now would not be deemed consentable. The Shopfront Design Guide was created to ensure that signage was brought up to a higher standard and ensure that poor quality signage and materials were not permitted.

On consideration of the illumination for the signage, the shop front design guide states that indirect lighting can be considered if it can be justified by the applicant and this should be achieved with the use of spot lamps to an appropriate design.

I would consider that in this instance illumination is reasonably required by virtue of the openings times as there is limited indirect light from street and other sources of lighting. The lamps are standard units. It would be of benefit to the overall appearance if the wiring boxes and associated wiring could be relocated off the fascia board, either placing them on top or hidden beneath.

As to the proposed sign, the proposed new section of sign is considered acceptable. The lettering should be conditioned to be raised metal lettering and colour applied directly to the letters. The colour scheme is also considered acceptable.

As to the existing sign, the contemporary nature of the design is considered reasonable. We look to encourage alternative designs and are not looking for all frontages to be hand-painted, but consider each scheme on its own merits. As set out in the Shopfront Design Guide, applicants should look to avoid the use of graphics. I would consider the graphic on the sign should be removed. It also states that typeface designs which are too large should be avoided. The fascia board should be painted timber in the required colour and this too should be conditioned.

I am supportive of the proposed advertisement subject to the conditions as set out and small amendments to the design."

In response the Applicants' have advised :

"We don't consider these amendments 'minor' in any sense of the word - [entailing] different background materials that will jar with neighbouring signage, raised metal letters and the removal of our logo, an established, important and recognised part of our identity.

We therefore regret that we cannot compromise and have asked that the matter be called in and decided by the committee."

Conclusion :

The applicant has set out their concerns following the comments from the Conservation Officer which requested modest changes to the proposed signage to accord with the Shopfront Design Guide SPD. As the applicant is unwilling to make the changes requested the application is

recommended for refusal as the resulting signage will cause unacceptable detriment in terms of amenity.

Public Safety

LCC Highways has no objection to the proposal subject to Conditions to avoid dazzle or distraction to passing motorists :

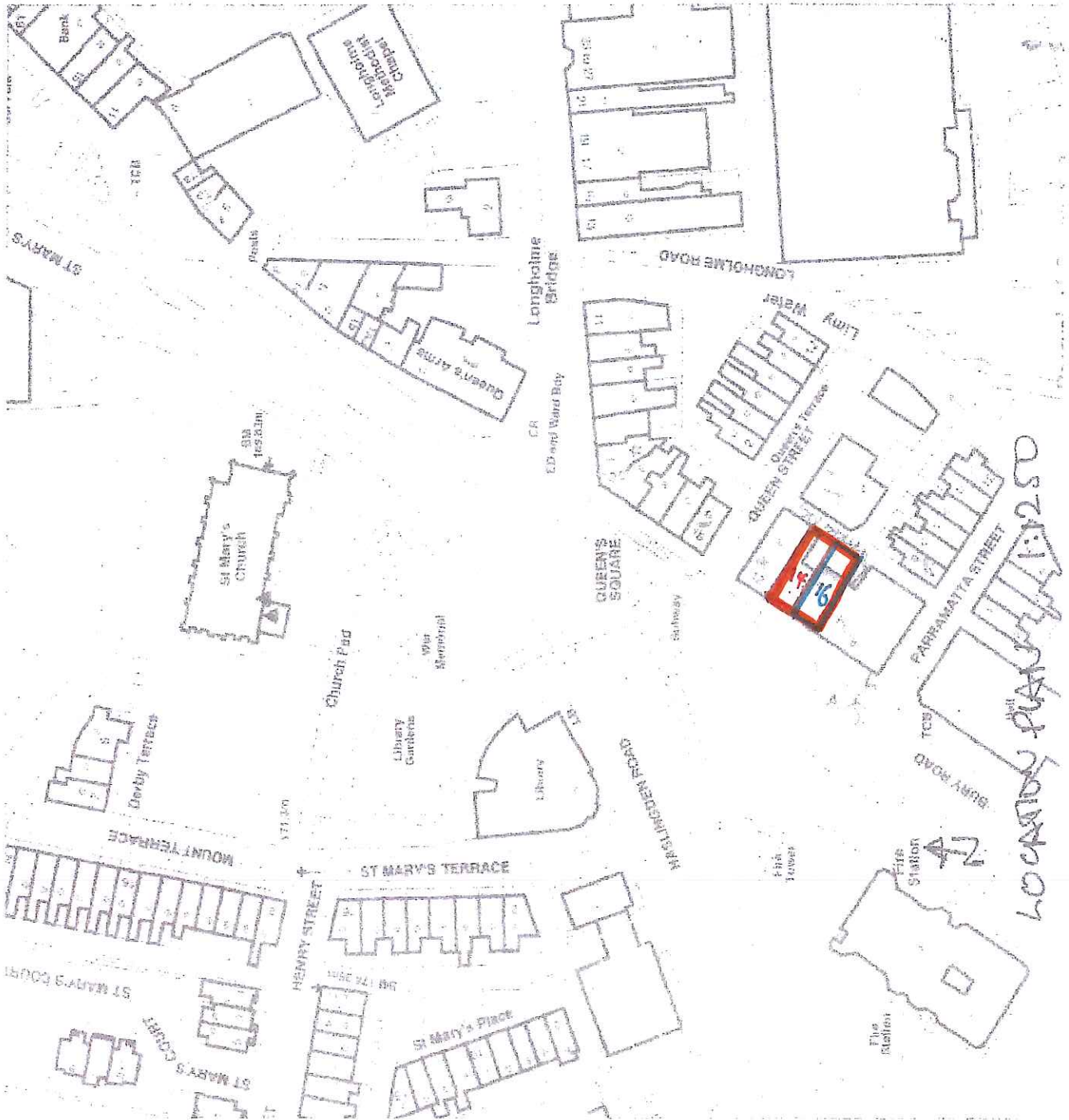
1. Any external source of lighting shall be effectively screened from the view of a driver on the adjoining public highway.
2. The limits of the illuminance shall not exceed those described in paragraph two of Schedule 3 Part II of the Town and Country Planning Act (Control of Advertisements) Regulations 1992.

10. RECOMMENDATION

Refuse

Reason for Refusal

1. The existing illuminated signage does not have the benefit of consent and the extended signage would see the use of materials and design which do not conform to the Council's adopted Shopfront SPD Design guide (2012) and would represent a negative element to the Rawtenstall Conservation Area. The proposal will result in unacceptable harm to amenity and would be contrary to guidance contained within the National Planning Policy Framework and Policies 1, 16, 23 & 24 of the Council's adopted Core Strategy DPD (2011).



LOCATION PLANNING 1:250