

Application Number:	2012/225	Application Type:	Full
Proposal:	Two signs attached to proposed kiosk and a 1.2m high freestanding 3D ice cream cone to stand to the front of the kiosk.	Location:	Site of former 19/21 Bank St, Rawtenstall
Report of:	Planning Unit Manager	Status:	For Publication
Report to:	Development Control Committee	Date:	17 July 2012
Applicant:	Preece & Partners Ltd	Determination Expiry Date:	8 August 2012
Agent:			

Contact Officer:	Richard Elliott	Telephone:	01706-238639
Email:	richardelliott@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	Council Owned Site

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

That the application be approved subject to the conditions set out in Section 10 of the Report.

2. SITE

The application relates to an area of land to the north western corner of the former Valley Centre (adjacent to the gable of HSBC Bank). Works are currently on-going to create the interim public realm area and events space which has been permitted.

The site is relatively flat and has Bank Street to its north side, comprising of a variety shops and services, of stone/slate construction. Immediately to the west of the site is HSBC Bank, its recently-pebbledashed gable facing the application site.

The site is located in the Primary Shopping Area of Rawtenstall Town Centre and is also within Rawtenstall Town Centre Conservation Area.

3. RELEVANT PLANNING HISTORY

2001/0581 Demolition of existing Valley Centre Shopping Precinct including Astoria Hall to be replaced with an interim development comprising a public realm and events space
Approved

2012/0224 Siting of kiosk to be used for the sale of takeaway ice cream and coffee.
Submitted concurrently with 2012/225.

4. THE PROPOSAL

Initially advertisement consent was sought for 3 advertising signs and one free standing advert in association with the Kiosk for which permission is sought under Planning Application 2012/224.

Following amendment of the scheme consent is now sought for two signs on the kiosk and a free standing advert.

The signs on the kiosk would be made of Perspex, be internally illuminated and sited to the front elevation, one attached to the side (but not projecting at a right angle outwards from it) and one above the front door. They would each measure 1.2m x 0.5m with a depth of 0.2m and have a beige background with a dark red/beige logo. The sign to the side of the kiosk would display the products for sale and the other sign would give the company name.

The free standing advert would be in the shape of an ice cream cone to a height of 1.2m with a width and depth of 0.4m.

5. POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (2012)

Section 7 Requiring Good Design

Section 12 Conserving and Enhancing the Historic Environment

Development Plan

Regional Spatial Strategy for the NW of England (2008)

DP1-9 Spatial Principles

EM1 Environmental Assets

Rossendale Core Strategy DPD (2011)

AVP 4 Rawtenstall Area Vision

Policy 1 General Development Locations & Principles

Policy 16 Preserving and Enhancing Rossendale's Built Environment

Policy 23 Promoting High Quality Design and Spaces

Policy 24 Planning Application Requirements

Other Material Planning Considerations

T&CP (Control of Advertisements) (England) Regulations 2007
LCC Historic Town Assessment Report for Rawtenstall (2006)
RBC Rawtenstall Town Centre Conservation Area Character Appraisal (2011)
RBC Rawtenstall Town Centre Draft Supplementary Planning Guidance (2011)

6. CONSULTATION RESPONSES

RBC (Conservation)

Would encourage minimising the signage as it could exacerbate its incongruous appearance.

LCC (Highways)

The free standing ice cream cone must not be placed on the adopted highway as it will pose a trip-hazard and an obstruction for pedestrians.

Rawtenstall Chamber of Commerce

Awaiting Comments

Rossendale Civic Trust

No comments in respect of signage.

7. REPRESENTATIONS

To accord with the General Development Procedure Order a site notice was posted on 13/06/12 and 18 neighbours were consulted by letter on the 13/06/12. A press notice was published on 14/06/12.

No comments have been received.

8. ASSESSMENT

The main considerations of the application are: 1) Public Amenity; and 2) Public Safety.

Paragraph 67 of Section 7 of the National Planning Policy Framework states:

Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

I am satisfied that the two signs attached to the kiosk are of a siting/size/form to meet the applicants needs without causing undue detriment to the character and appearance of the area.

Provided that the freestanding sign is located close to the kiosk, and not on the public highway, I do not consider it to be unduly harmful to the area.

On this basis the scheme is considered acceptable in terms of amenity and public safety.

9. SUMMARY REASONS FOR APPROVAL

The signage for which consent is sought, subject to the conditions, will not unduly affect amenity and public safety. It is considered that the proposal accords with Section 7 of the NPPF, Policies DP1-9/EM1 of Regional Spatial Strategy NW (2008) and Policy 1/16/23 and 24 of the Rossendale Borough Council adopted Core Strategy DPD (2011).

10. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To accord with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The free standing ice cream cone sign shall at no time be sited further than 5m from the kiosk and at no time shall be sited on any part of the adopted highway. The development shall otherwise be carried out in accordance with the amended drawings dated 20 June 2012, the sign to be attached to the side of the building to be flush rather than projecting outwards from it.
Reason: In the interests of visual amenity and highway safety, in accordance with Policy 24 of the Adopted Core Strategy (2011).
3. Any advertisements displayed, and any sites used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
Reason: In accordance with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.
4. Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority such that the site is left in a safe condition that does not endanger the public or impair the site's visual amenity.
Reason: In accordance with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military)
Reason: In accordance with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.
6. Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority
Reason: In accordance with Regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 2007.