


Parish: Chichester	Ward: Chichester Central
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CC/23/00895/ADV

Proposal	1 no. illuminated fascia sign, 1 no. illuminated projecting sign and 1 no. non-illuminated wall mounted sign.		
Site	31 - 33 South Street Chichester West Sussex PO19 1EL		
Map Ref	(E) 486022 (N) 104608		
Applicant	Mrs Emma Blackmore	Agent	Mr Gareth Morgan

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

1.1 Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located on the western side of South Street, one of the principal streets in city centre, within the Chichester Settlement Boundary and the Chichester Conservation Area.

2.2 The application building is not listed. The site is currently vacant and was last used as a restaurant at the ground floor level, with separate office space above. The character of the surrounding area is predominantly commercial, with the majority comprising of shops, services and restaurants. The surrounding retail units have a variety of existing signage, which predominantly take the form of illuminated branded fascia's and hanging signs.

3.0 The Proposal

3.1 The application proposes non-illuminated fascia sign comprising a central 'Three Joes' sign with smaller elements to each end of the fascia, 1 no. illuminated projecting sign and 1 no. non-illuminated wall mounted sign. The proposed signage would be finished in white or red (pantone 2347 C) paint.

3.2 Located in the middle of the elevation is the main signage depicting the name of the business 'Three Joes' with the addition of a hand logo with the sign. The main signage would be hand painted and measure 40cm in height and 1.55m in length. The sign would be illuminated by a white LED trough light, situated on the top of the concrete plinth. The trough light would have an illuminance level of 150 cd/m² and would project 20cm from the fascia. The fascia signage would also include 2 no. hand painted signs 10cm in height. One advertises that the site sells 'craft beer, gin and cocktails' with the other stating 'sourdough pizza'. In addition, the street number '31-33' is proposed on the fascia, and this would measure 6cm in height.

3.3 The projecting sign measures 45cm in height, 51cm in length, and 4cm in depth. The projecting sign would be illuminated by a white LED trough light with an illuminance level of 150 cd/m² and would project 15cm from the projecting sign. The non-illuminated wall mounted sign consists of a powder coated black aluminium poster case measuring 51 cm in height, 39.5cm in length and 4cm in depth.

4.0 History

93/00252/ADV	REF	1 no. fascia sign.
93/00254/FUL	REF	New shopfront and relocation of double doors. Shop will rent videos and sell videos & CD's.
93/01162/ADV	PER	Non-illuminated individually applied perspex fascia lettering and 2 no. logos.
98/01829/ADV	REF	1 no. fascia sign, 1 no. projecting sign, white painted individual metal lettering on blue background.
99/00030/ADV	PER	1 no. fascia sign comprising individual letters and 2 nos logos.
01/02171/EST	REF	1 no. flat board.
06/03071/ADV	PER	3 no. non illuminated fascia signs.
07/05223/ADV	REF	2 no. sets of fret cut letters and 2 no. projection signs.
08/00795/ADV	PER	3 no. letter signs and 1 no. set numbers sign.
08/02064/ADV	REF	1 no. projection sign.
15/01389/COU	PER	Change of use from retail (A1) to restaurant (A3).
16/00598/ADV	PER	1 no. illuminated fascia sign and 1 no. illuminated menu panel sign
16/00599/FUL	PER	The re-tiling of stallrisers.
20/02990/FUL	PER	Introduction of café windows and alterations to shopfront
20/02996/ADV	PER	Installation of 1 no. externally illuminated fascia sign, 2.no non-illuminated fascia signs, 1 no. non-illuminated projecting sign, 1 no. internally illuminated menu box and decals to glazing.

5.0 Constraints

Listed Building	NO
Conservation Area	Chichester Conservation Area
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Chichester City Council

Further Comments (received 20 June 2023)

The City Council's objection still stands in respect of application 23/00895/ADV - 31-33 South Street. The advertisement design guidance states that the signage should not include descriptive wording or logos in addition to the shop name. Although the site does have a particularly wide frontage, the proposal to include 2 unnecessary phrases all across the shop front, including over one of the pillars is excessive. Multiple hand logos are still proposed. In addition, the illuminated hanging sign is still proposed. The proposal would harm the character and appearance of the Conservation Area and is contrary to the adopted design guidance.

Original Comments (received 3 May 2023)

Objection. The proposal does accord with the relevant advertisement guidance which aims to avoid the proliferation of projections signs, illumination and logos or designs in addition to text. As proposed, the signage would harm the character and appearance of the conservation area. It is also noted that the building number is proposed to be removed, this should be retained or replaced, if possible, in accordance with the design guidance.

6.2 CCAAC

The Committee objects to this application. The illumination and the projecting sign do not conform to the Council's Shopfront Guide, and no street number is displayed.

6.3 Third party objection comments

1 no. third party representation of objection has been received concerning the following matters:

- a) Contradictory to Shopfront Design Guidance
- b) Removal of Street Number
- c) Lettering should be hand painted, not cut lettering

7.0 Planning Policy

The Development Plan

- 7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029, the CDC Site Allocation Development Plan Document and all made Neighbourhood Plans. There is no made Neighbourhood Plan for Chichester at this time.
- 7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 2: Development Strategy and Settlement Hierarchy
Policy 10: Chichester City Development Principles
Policy 47: Heritage

Chichester Local Plan 2021 - 2039: Proposed Submission (Regulation 19)

- 7.3 Work on the review of the adopted Local Plan to consider the development needs of the Chichester Plan Area through to 2039 is now well-advanced. Consultation on a Preferred Approach Local Plan has taken place. Following detailed consideration of all responses to the consultation, the Council has published a Submission Local Plan under Regulation 19, which was approved by Cabinet and Full Council for consultation in January 2023. A period of consultation took place from 3rd February to 17th March 2023, and the Submission Local Plan is expected to be submitted to the Secretary of State for independent examination in Autumn 2023. In accordance with the Local Development Scheme, it is anticipated that the new Plan will be adopted by the Council in 2024. At this stage, the Local Plan Review is an important material consideration in the determination of planning applications, the weight that can be attached to the policies contained therein is dependent on the significance of unresolved objection attributed to any relevant policy, commensurate with government policy at paragraph 48 of the NPPF (2021).

National Policy and Guidance

- 7.4 The revised National Planning Policy Framework (NPPF) was published in July 2021. Paragraph 11 of the revised Framework states that plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas of assets of particular importance provides a clear reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.5 Consideration should also be given to Sections 1 (Introduction), 2 (Achieving sustainable development), 12 (Achieving well-designed places), and 16 (Conserving and enhancing the historic environment). Consideration has also been given to paragraph 132 in particular, as this relates specifically to the control of advertisements. The relevant paragraphs of the National Planning Practice Guidance have also been taken into account.

Other Local Policy and Guidance

7.6 The following documents are material to the determination of this planning application:

- Chichester District Council Shopfront and Advertisement Design Guidance Note (revised June 2010)
- Chichester Conservation Area Character Appraisal

7.7 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Support local businesses to grow and become engaged with local communities
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i. Introduction
- ii. Design and impact upon character of the surrounding area (public amenity)
- iii. Impact upon public safety

Assessment

i. Introduction

8.2 Advertisement applications must be considered in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended. These regulations require the LPA to consider amenity and public safety; taking into account the development plan, so far as they are material, and any other relevant factors.

8.3 Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural, or similar interest. Factors relevant to public safety include the safety of persons using any highway, whether the display of the advertisement in question is likely to obscure, or hinder the ready

interpretation of any traffic sign, and whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

ii. Design and impact upon character of the surrounding area

- 8.4 The application site is located within the Chichester Conservation Area which is acknowledged of being of high visual quality and contains 700 buildings which are listed as being of special architectural or historic interest. NPPF Paragraph 197 requires local authorities to take into account when determining applications, the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that the conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to the local character and distinctiveness. In addition, Policy 47 of the Chichester Local Plan requires that proposals must conserve and enhance the special interest and setting of conservation areas, respect the distinctive local character and maintain the individual identity of settlements.
- 8.5 The proposed advertisements have been discussed with the Council's Conservation and Design Team, and their comments have been incorporated into the report.
- 8.6 The proposed fascia signage is considered to be appropriate within its setting and is considered to be an improvement to the appearance of the commercial property. The proposed signage would be hand painted onto the existing concrete fascia, satisfying the requirements within the Chichester District Council Shopfront Design Guidance Note. While the shopfront design guidance states that darker colours are generally the preferred choice, it does acknowledge that the use of softer colours, such as cream, are equally acceptable. The use of red and white in this instance is considered acceptable, resulting in an attractive and bold shopfront on a modern building.
- 8.7 The proposal includes the provision of 1 no. menu box located on the right-hand pilaster by the entrance to the commercial property. The menu box would be non-illuminated and would consist of a black powder coated aluminium poster case. It is considered that the menu box would have minimal visual impact due to its scale relative to the shop frontage.
- 8.8 It is noted that the Chichester City Council, the Conservation Area Advisory Committee and one third party objected to the proposed signage on the basis of the illumination, logos, additional wording, hanging sign removal of street number and the proposed illumination.
- 8.9 The proposed signage was amended to retain the street number on the fascia of the building; this would be hand painted on the fascia as per the requirements of the Shopfront and Advertisement Design Guidance. A standard informative is recommended to remind the applicant of this requirement. In addition, following the second Parish Council comments further revisions were made to the design of the shopfront to remove the vertical "Pizza" wording on the front pilaster which will now just be painted white.

- 8.10 The proposed main fascia signage of 'Three Joes' and the hanging sign would be externally illuminated through a white LED trough light, with an illumination level of 150 cd/m². The CDC Shopfront and Advertisement Design Guidance Note allows for external illumination where the proposed use of the site to which the advert relates is open in hours of darkness, such as a restaurant. In this instance the proposed illumination would be utilised during the opening hours of the restaurant to which it relates.
- 8.11 In addition, within the vicinity of the site many of the other restaurants have had consent to utilise external lighting, similar to that proposed within this application. Therefore, it is considered that the proposed illumination would not be harmful to the amenity of the site or the Conservation Area, in particular due to the sympathetic level of luminance and the context of the wider area. It is recommended that a condition requiring the level of luminance to be no more than 150 cd/m² and for the illumination to be used only within opening hours after dusk to be added.
- 8.12 The proposed signage including the hand logos, additional wording and the hanging sign are also not considered to be harmful to the visual amenity of the host building or the streetscene. The use of hand logos within the main 'Three Joes' logo on the fascia and hanging sign are small additions which do not negatively detract from the conservation area or shopfront. The addition of the wording to the main fascia would be small and proportionate in size, being subservient to the main signage. It is considered that these elements would be acceptable within the conservation area, as they would not result in significant harm, especially as they will be hand painted onto the fascia.
- 8.13 The proposed hanging sign would alter an existing sign approved under 20/02996/ADV. The existing timber hanging sign would be repainted red and finished with the hand painted 'Three Joes' logo in white. While the Shopfront and Design Guidance generally does not support hanging signs on the four main streets due to their generous widths and the proliferation of these signs, in this instance, the proposed hanging sign would be modest, being within the maximum dimensions stated within the Shopfront and Advertisement Guidance Note and considerate with its design to not be significantly harmful to the wider conservation area.
- 8.14 It should be noted that there are examples of other hanging signs, further south of the site, therefore the hanging sign would be cohesive within the wider context of the area. It is considered that the site would be separated enough from the other hanging signs, so as to not result in visual clutter.
- 8.15 It is noted that within the Shopfront and Advertisement design guidance, illumination on a hanging signs is not generally acceptable. However, it is considered, in this instance, that due to the low level of luminescence, this would not result in significant harm to the wider street or conservation area.

8.16 The new signage would result in an overall improvement in the appearance of the shopfront, removing the raised lettering, vinyl stickers and bright shopfront colours seen within previous signage on this site. Therefore, having regard to the above, and subject to conditions, it is considered that the proposal would be appropriate in terms of size, colour, siting and design and would not result in visual clutter which would be harmful to the appearance of the Conservation Area of the setting of the Listed Buildings located in the vicinity.

iii. Impact upon safety

8.17 Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) permits the display of advertisements where they do not, *inter alia*, adversely impact upon the interests of public safety.

8.18 The proposed hanging sign would be sited 2.5m from ground level, satisfying the Shopfront and Design Guidance. The proposed illumination on the hanging sign and fascia is set at a considerate level of 150 cd/m² and is not considered to have any adverse impacts upon public amenity and safety if advertisement consent was granted. The illumination would be consistent with other advertisement consents, and it is recommended a condition is used to secure its use and level to further protect public amenity and safety. The proposed menu box is non-illuminated and is very small in scale and of limited visual harm or safety concerns.

8.19 Therefore the proposal is considered to be in accordance with Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Conclusion

8.20 Based on the above it is considered that the proposed advert would not be harmful to the character and appearance of the surrounding area or wider conservation area, and it would not cause harm to the public users of the highway. The proposal therefore complies with the development plan and the Town and Country (Control of Advertisements) (England) regulations 2007, and therefore the application is recommended for approval.

Human Rights

8.21 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

- 1) The works associated with the display of the advertisement(s) hereby permitted shall not be carried out other than in accordance with the plans listed below under the heading "Decided Plans".

Reason: For clarity and in the interest of proper planning.

- 2) The development hereby permitted shall not be constructed other than in accordance with the materials specified within the application form and plans, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a harmonious visual relationship is achieved between the new and the existing developments.

- 3) The illumination levels shall not exceed 150 cd/sqm at any time.

Reason: in the interest of protecting the visual amenity of the area.

- 4) The illumination of the advertisements hereby approved shall not take place other than during dark hours of the application site/business opening hours. Outside of these times, the lights should be turned off.

Reason: In the interests of visual amenity.

Decided Plans

The application has been assessed and the decision is made on the basis of the following plans and documents submitted:

Details	Reference	Version	Date Received	Status
PLAN - STREET SCENE VISUALISATION	23/00895/1	REV 2	12.07.2023	Approved
PLAN - PRINCIPAL ELEVATION	23/00895/2	REV 2	12.07.2023	Approved
PLAN - PROPOSED SIGNAGE 1	23/00895/3	REV 2	12.07.2023	Approved
PLANS - Plans PLAN - PROPOSED SIGNAGE 2	23/00895/4	REV 2	12.07.2023	Approved
PLANS - Plans PLAN - LOCATION PLAN	BW1-01097795	REV C	17.07.2023	Approved

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2) The applicant is requested to ensure that the fascia sign to these premises includes the street number of the property.

For further information on this application please contact Eleanor Midlane-Ward on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RT92DYERK2H00>