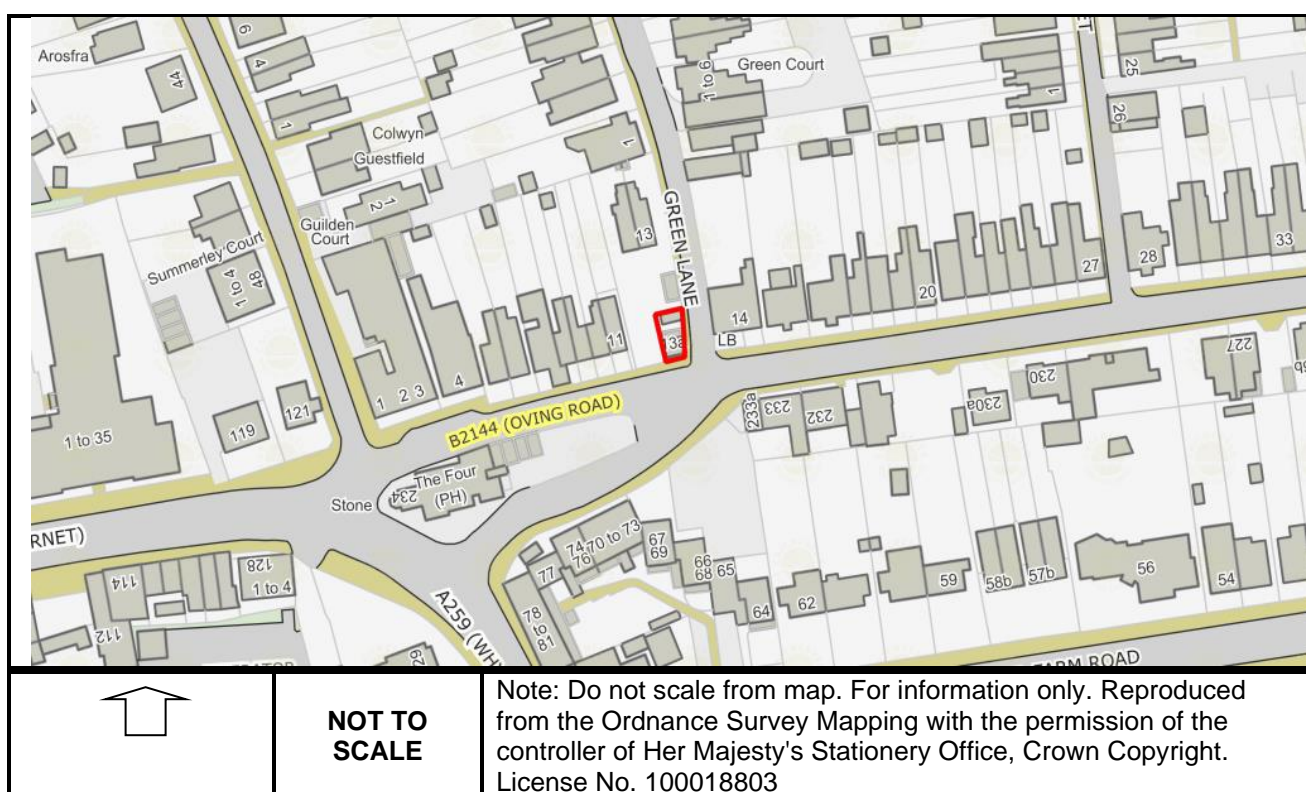


Parish: Chichester	Ward: Chichester East
-----------------------	--------------------------

CC/23/02561/ADV

Proposal	1 no. fascia sign (non-illuminated) and internal free standing display (non-illuminated)		
Site	13A Oving Road Chichester West Sussex PO19 7EG		
Map Ref	(E) 486996 (N) 104857		
Applicant	Mrs Isabel Neighbour	Agent	Mr Barnaby Newton

RECOMMENDATION TO PERMIT



1.0 Reason for Committee Referral

1.1 Parish Object, Council recommends permit.

2.0 The Site and Surroundings

2.1 The application site is a small modern style unit located within the Chichester Conservation Area, on the junction between Oving Road and Green Lane.

- 2.2 The property has a history of non-domestic uses despite its appearance as a small cottage or dwellinghouse. The historic use of the property includes a hairdressers and takeaway food establishment. At present the site has lawful use as an estate agents.
- 2.3 The property is single storey with grey rendered walls, with a gable end roof form. To the rear is a number of outbuildings, which are used in connection with the business.
- 2.4 The front of the property has a non-traditional shopfront, with a large window and fascia board. Historically, the site has maintained this non-traditional shopfront, with the previous business having a fascia board above the door, and a circular logo set within the gable end.
- 2.5 The site is located on the edge of the commercial development which extends past the Primary Shopping Frontage of East Street. It largely follows a string of retail units including Black Pearl tattoo parlour, Whitmore Jones Ltd., and Four Chesnut Pub. The property is separated from the retail units by a string of residential properties, but sits opposite the parking/amenity space for the Four Chesnuts. As such, it still reads in conjunction with the surrounding retail units, but forms edge of the extent of commercial space along Oving Road before the character becomes residential.
- 2.6 The commercial and retail units along the stretch from the Hornet to Oving Road maintain a more modern, less traditional shopfront. The majority of these properties have a residential appearance, with fascia boards above the windows/doors. Unlike the Primary shopping frontage, these fascia boards are largely comprised of acrylic or aluminium with typeface lettering.

3.0 The Proposal

- 3.1 During the course of the application, negotiations with the applicant have resulted in the proposal being amended to omit the illumination and the projecting signage being removed, in accordance with the CDC advertisement design guidance.
- 3.2 The current proposal is for the siting of an aluminium fret cut fascia sign to be screw mounted to the front of the property measuring 2m long by 0.5m high. The fascia board would be black, with white fret-cut letting.
- 3.3 The white fret-cut lettering would comprise the trademarked Fine and Country Logo in ASV Codar Lt/Gill Sans WGL Light font and would sit centrally within the fascia board, measuring approximately 0.2m high by 1.2m at its maximum. At the bottom left of the fascia board would sit the phone number, and at the bottom right would be the website.
- 3.4 The windows would include freestanding non-digital and non-illuminated signs typical of an estate agents.

4.0 History

21/02491/FUL	PER	Change use from A1 to A5.
23/02560/FUL	PER	Change of use from Suis Generis (hot food takeaway) to Class E to facilitate an estate agents. New flat roofing arrangement to rear and infill courtyard with associated internal alterations.
23/02561/ADV	PDE	1 no. fascia sign (non-illuminated) and internal free standing display (non-illuminated)

5.0 **Constraints**

Listed Building	NO
Conservation Area	Multiple (Spatial)
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Order	NO
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 **Representations and Consultations**

6.1 **Parish Council**

Comments received 21st March 2024:

The argument that using the fascia as an information board with extraneous stacked text in direct contravention of the LPA's specific guidance for shopfronts is 'key to their business' particularly unconvincing given that one of the items of 'key' information has only just been proposed, instead of having their website mentioned twice. As set out within the LPA's own Shopfront and Advertisement Design Guidance, using the fascia in such a way would have a significantly detrimental impact upon the character and appearance of the Conservation Area, which the LPA has a legal duty to preserve or enhance under s72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. Development which harms the character or appearance of the Conservation Area, which is a designated heritage asset, must not be permitted unless the harm is necessary and justified by the public benefits of the proposal. This is the case even where such harm is less than substantial. In this case, there are no public benefits of the proposal which would not also be provided by signage which accords with the design guidance, so there is no necessity or justification for any harm to the Conservation Area. The key information which the applicant wishes to be available to the public can be displayed on smaller signage, such as a decal or other sign on the door, as is traditional for contact information and

opening hours. They do not need to be included on the fascia where they contribute to visual clutter and erode the character and appearance of the Conservation Area.

Comments received 21st February 2024:

There remains a significant amount of extraneous stacked text, including two mentions of the same website address and the full telephone number as well as the logo, whereas the design guidance clearly states that the fascia should not include logos, extraneous text and/or stacked text, and should only include the shop name. Given the location, if the extraneous text can be removed, the objection would be withdrawn.

Comments received 20th December 2023

Objection. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Areas. The District Council's Conservation Area Advertisement Guidance sets out the type of signage which is acceptable, and that which would cause harm to the character and appearance of the conservation area. The proposal is for internally illuminated moulded aluminium fascia and projecting signage, which is contrary to the advertisement design guidance and would harm the character and appearance of the Conservation Area. Paragraph 202 of the NPPF sets out that, where there is any harm to a designated heritage asset, such as a conservation area, even less than substantial harm, this must be weighed against the public benefits of the proposal, so as to assess whether such harm is necessary and justified in the public interest. There is no public benefit to this proposal for inappropriate signage which would not also be achieved through appropriately designed signage, and therefore the public benefits of the proposal cannot be assessed to outweigh the harm to the Conservation Area.

6.2 CCAAC

The Committee objects to this Application. We support the principle of finding a new use for vacant commercial premises and, whilst the application is well presented, the proposals ignore the District Council's Guide to shopfront design in the Conservation Area by including illuminated lettering and omitting the street number.

6.3 Third party comments

No third party representations have been received.

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 47: Heritage

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

The Chichester Local Plan 2021-2039: Proposed Submission (LPPS) has now completed its 'Regulation 19' consultation (17 March 2023). The Council's published Local Development Scheme in January 2023 anticipated that the plan would be submitted for examination in Summer 2023 but given the complexity of issues involved the anticipated submission date is now Spring 2024. Accordingly, the plan could now be considered to be at an 'Advanced Stage of Preparation' for the purposes of para 48(a) of the National Planning Policy Framework (NPPF) and consequently could be afforded moderate weight in the decision-making process. Once it is submitted for examination it will be at an 'Advanced Stage' for the purposes of assessment of development proposals against para 49(b) of the NPPF.

7.4 National Policy and Guidance

Government planning policy now comprises the revised National Planning Policy Framework (NPPF 2023), which took effect from December 2023. 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 141 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.

7.6 Other Local Policy and Guidance

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

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
- iv. Conclusion

Assessment

i. Introduction

8.2 Advertisement applications must be considered in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. 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 as being of high visual quality and contains 700 buildings which are listed as being of special architectural or historic interest. The neighbouring property to the West (14 Oving Road) and the Public House to the South (The Four Chesnuts) are both Locally Listed. Oving Road has a mix of attractive terrace properties with some historic qualities, but the majority are not Listed or Locally Listed.

8.5 NPPF Paragraph 203 outlines how when determining planning applications, the LPA 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 the sustainable communities including their economic vitality and the desirability of new development making a positive contribution to 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.

- 8.6 It is noted that the Chichester City Council and the Chichester Conservation Area Advisory Committee objected to the proposal on the grounds that the proposed design, including lack of a street number, additional wording, illumination, and the proposed materials of the advertisement would be unacceptable within the Chichester Conservation Area. The illumination and projecting sign have been removed from the application, which addresses some of those concerns. As such, the main issues are around the design of the fascia sign including the materials, wording and lack of a street number.
- 8.7 The CDC Design guidance for advertisement highlights how "metal within traditional shopfronts is not usually acceptable, however, if well detailed, they can be appropriate for new shopfronts of contemporary design". The application property does not resemble a traditional shopfront, with no evidence of stallrisers, formal fascia, pilasters or entablatures. As the property has no formal shopfront, and is modern in appearance, it is considered that the use of aluminium would not appear harmful. Looking at the wider streetscene with regards to neighbouring commercial properties, the majority of these are not historic or traditional shopfronts, with the typical commercial property in this area presenting more modern examples of materials including aluminium and upvc. The proposed signage would be comprised of muted colours and would sit well within the existing advertisement in the area.
- 8.8 The proposed advertisement would mimic what has been seen in the past on the property. The majority of the advertisement on the site has included modern materials, with logos and captions. The proposed advertisement would not alter the appearance of the property in such a way which would result in a negative impact on the character of the conservation area or surrounding streetscene. When comparing to the previous advertisement on site, the proposal would be a vast improvement in terms of visual clutter as there would be less signage on the frontage.
- 8.9 The CDC Design guidance highlights how fascia design should suit the building as a whole and be in proportion to the shopfront and rest of property. The proposed fascia board would sit above the window and would appear in keeping with the form of the property by not appearing overbearing or over dominant to the principal elevation.
- 8.10 The CDC Design guidance outlines how lettering should be proportional to the fascia depth and must not be too large. The proposed text would be proportionate to the fascia board and would complement the size of the property overall. The secondary text is smaller and appears subservient to the main text. This would reduce ensure that the fascia does not appear cluttered.
- 8.11 The CDC Design guidance makes reference to the fascia being a "place to advertise the name of the shop and the street number". It outlines how it is good practice to include the street number on the property. It is important to consider the character of the immediate area and the context of each site when assessing an application. The property is located

in an area where there are few examples of street numbers on the fascias of properties. This is likely due to the fact that the area is characterised by residential properties where the street numbers are clear. Typically in the Primary Shopping frontages, it is difficult to know the street number due to the traditional shopfront design. As such, the fascia is an appropriate space to place the street number. The application property appears largely residential and has, in the past, had the street number advertised on the door or wall, similar to a domestic property. Looking at the application in context within the area and surrounding retail units, it is considered in this instance, that the lack of street number on the fascia sign would not be detrimental to the character of the area, nor would it be harmful to the character or appearance of the conservation area.

8.12 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. On this basis, it is considered that the proposals would have a neutral effect on the conservation area and the Locally Listed Buildings. When considering its setting, in particular, the context of the street scene and the age of building to which this application relates, the use of aluminium lettering and aluminium fascia would be acceptable in this instance. Therefore, it is considered the proposal would conserve and enhance the Chichester Conservation Area and comply with NPPF paragraph 203 and Policy 47 of the CLP.

iii. Impact upon Public Safety

8.13 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.

8.14 The proposed advertisement would not project onto the highway, there is no A-boards, hanging signs or projecting signs as part of the application. Therefore the proposal is considered to be in accordance with Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

iv. Conclusion

8.15 Based on the above it is considered that the proposed signage would not be harmful to the visual amenity, conserving the character and appearance of the surrounding area and wider conservation area, and would not result in harm to the public users of the highway. The signage would be acceptable with regards to visual amenity and public safety. The proposal therefore complies with the Development Plan and the Town and Country (Control of Advertisements) (England) regulations 2007, Section 12 of the NPPF, and Policy 47 of the Chichester Local Plan, and therefore the application is recommended for approval.

Human Rights

8.17 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.

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 - AMENDED PROPOSED ELEVATIONS	120	E	12.03.2024	Approved
PLAN - AMENDED PROPOSED ADVERTISEMENT DETAILS	160	E	12.03.2024	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.

For further information on this application please contact Freya Divey on 01243 534734

To view the application use the following link - <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S3WXUHERFSN00>