

DELEGATED DECISION REPORT

HPK/2024/0479
Valid 20/11/2024

GARY HANNAH CATERING
CHESHIRE CHEESE HOTEL
37 HIGH STREET
BUXTON

ERECTION OF ILLUMINATED
AND NON-ILLUMINATED
SIGNS TO THE EXTERIOR OF
THE BUILDING

(ADVERTISEMENT CONSENT)

MAIN ISSUES

- Amenity
- Public Safety

DESCRIPTION OF SITE

The application relates to No.39 High Street (also known as the Cheshire Cheese), which is a Public House, a Grade II Listed Building that lies within the Buxton Central Conservation Area.

The principal elevation fronts the public highway with an array of various signage being present on the elevations and within the associated curtilage between the front of the building and the public highway.

PROPOSAL

This application seeks Advertisement Consent for various illuminated and non-illuminated signs to the exterior of the building as detailed on the submitted revised plans received 08/01/2025, summarised as follows:

- A Refurbish 2no. sets of individual letters finished gold with new black drop shadow backs adding a solid black shadowback with help visibility by improving the contrast between the gold letter and the uneven grey background. New troughlights to illuminate
- B Refurbish existing sign to far left on front elevation with car park directions
- C 2no new logos to replace existing
- D 1no. internal vinyl to porch window
- E 1no. amenity board to right of entrance
- F Refurbish 1no. welcome sign
- G 1no. new car park disclaimer sign to car park area

- H 2no. new logos to post pictorial sign
- I 1no. double sided pictorial panel illuminated by linolites
- J 2no. car park signs to post sign
- K Replace 2no. ground floor fixed floodlights and cages with warm LED lights
- L Replace existing floods with warm LED floodlights. Quantity and positions to be as per existing
- M 2no. white vinyl logos to refurbished lantern with new warm bulb
- N Refurbish 1no. existing double legged post, car park directions sign

A separate Listed Building Consent application has been submitted and is currently under consideration under HPK/2024/0478.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- CF6 Accessibility and Transport

Supplementary Planning Documents

Design Guide SPD (2018)

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/2940 &

HPK/0003/2941	External Illumination Of Existing Signs (Approved 01/12/1993)
HPK/0003/8104 & HPK/0003/8105	Internal Alterations And Change Of Use Of Store To Public House and block up external door (Approved 30/06/1999)
HPK/0003/8306 & HPK/0003/8307	External Signage (Approved 09/09/1999)
HPK/2011/0294	Signage (Refused 18/08/2011)
HPK/2011/0332	Signage (Refused 19/08/2011)
HPK/2013/0377	Listed Building Consent For Reglaze Of Front Porch, New Extract Duct To Rear & Addition Of Joinery Items Internally (Approved 16/09/2013)
HPK/2013/0560	Listed Building Consent Proposed Signage (Approved 27/11/2013)
HPK/2018/0194	Installation or replacement illumination and non illumination signs to the exterior of the building (Approved 28/08/2018)
HPK/2024/0435 & HPK/2024/0436	Planning and Listed Building Consent for Toilet Refurbishment and Cyclical Maintenance Works, including new signage (Approved 17/01/2025)

CONSULTATIONS

Publicity

Site Notice expiry date: 2nd December 2024
Neighbour consultation period ends: 16th December 2024
Press Advert: 28th November 2024

Public Comments

None

Historic England

No comments

HPBC Conservation Officer

Initial Comments:

Sign type L - 25037 Planning_Plan1 shows signage type L 'to be agreed'. This is ambiguous, details of proposed positions required.

No objection in principle to remaining signage scheme. Vastly like-for-like in approach, with some additional signage. Colour pallet and style is acceptable.

Revised Comments:

Revised plans acceptable, no objections.

Environmental Health

Proposed Lighting Guide 05: The Brightness of Illuminated Advertisements (2015) – Institute of Lighting Professionals:

Category of Locations

EZ1	National Parks, Area of Outstanding Natural Beauty
EZ2	Rural or small Village locations
EZ3	Small Town Centres or Urban Locations
EZ4	Town/City Centres with high levels of night time activity

Recommended Lux Levels

EZ3	Up to 10m2	600cdm2
	Over 10m2	300 cdm2
EZ4	Up to 10m2	600cdm2
	Over 10m2	300 cdm

Derbyshire County Council Highways

No objections – suggested informative

OFFICER COMMENTS

Principle of Development

Paragraph 141 of the NPPF states that advertisements are subject to a specific consent process, should be subject to control only in the interests of amenity and public safety.

The application relates to a Grade II Listed Building and is located within the built-up area boundary of Buxton and within the Buxton Central Conservation Area. As such the application is subject to Local Plan Policy EQ7 and relevant paragraphs under Chapter 16 of the NPPF, underpinned by Section 72(1) of the Act 1990.

A separate Listed Building Consent application for the proposed signage has been submitted under HPK/2024/0478.

Amenity

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

The Design Guidance for Signs SPD provides further useful guidance for the exterior of retail and other such uses within Town Centres. With regards to lighting it states that any lighting incorporated should be discreetly hidden on suitable parts of the building, which can include more sensitive strip or trough lighting. There is also an emphasis on fascia's being of a reasonable scale that does not detract from the appearance of both the building and the street.

Paragraphs 212-221 of the NPPF sets out how a local planning authority should assess the significance of a heritage asset and the potential impact of a development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The application relates to a very sensitive (Grade II Listed) building that lies in a prominent location within the Conservation Area and as such any application for both illuminated and non illuminated signage is required to be handled in a sensitive manner.

As shown on the submitted plans, the vast majority of the proposed signage amounts to the replacement of existing signage with regards to its location and design. Officers concur with the comments of the Conservation Officer that the siting and design of the proposed signage including the choice of material and colour pallet are acceptable and respect the visual amenity of the building, the street scene and the Conservation Area.

Revised plans have been submitted which clarify the details of sign 'L' which were previously ambiguous and have been judged to be acceptable by the Conservation Officer.

In its original form the application did not include the lux levels of the proposed illuminated lighting to be introduced. At the request of Officers, the applicant has confirmed in writing that the LED lighting are 200cdm, which amounts to a low brightness, and is considered to be acceptable having regard to its urban location subject to an appropriately worded compliance condition.

Subject to appropriate conditions, it is considered that the proposed signage, having regard to revised plans, is acceptable and complies with LP Policies EQ6, EQ7, relevant Supplementary Design Guidance, and relevant policies contained under Chapter 16 of the NPPF and S72 of the Act 1990.

Public Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.

Paragraph 115 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

The Highways Authority have not provided any comments in relation to the proposed fascia signage. However, in the absence of any comments it is judged that given the proposed signage is a replacement of a number of existing signs, do not overhang the street and the height of the hanging sign above the street level is identical to the existing sign, there are not considered to be any adverse impacts to public safety, in accordance with LP Policy CF6 and paragraph 115 of the NPPF.

The informatives recommended by the Highways Authority are incorporated into the planning conditions as set out on the Decision Notice.

CONCLUSION / PLANNING BALANCE

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies

for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks Advertisement Consent for various external signage associated with No.39 High Street, Buxton (the Cheshire Cheese Public House) which is a Grade II Listed Building located within the Conservation Area.

A separate Listed Building Consent application is currently under consideration under HPK/2024/0478.

Further to revised plans being submitted that clarifies the location and design of sign 'L' and written clarification that the illuminated signage will be 200cdm, the Council are satisfied that the proposed signage will, subject to appropriate conditions, preserve the visual amenity of the building, the street scene and wider Conservation Area, and would also not result in any harm to public safety.

As such, the application is considered to comply with all relevant Local Development Plan policies, Supplementary Design Guidance, and relevant sections of the NPPF and thus constitutes a sustainable form of development. In line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 21st January 2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council