

DELEGATED DECISION REPORT

HPK/2023/0386
Valid 30/09/2024

28A , HIGH STREET ,
BUXTON , DERBYSHIRE ,
SK17 6EU

ADVERTISING CONSENT FOR
PROPOSED ILLUMINATED
SIGNAGE TO FRONT
ELEVATION

(ADVERTISEMENT CONSENT)

MAIN ISSUES

- Amenity
- Public Safety

DESCRIPTION OF SITE

The application site is a two storey mid-terraced building with a shopfront located on the western side of Buxton High Street, fronting onto the A515 and near the junction with Bath Road.

The host building at ground floor had featured a traditional timber framed shopfront, now replaced with a modern aluminium framed glazed shop front with internally illuminated fascia, that has been installed without planning permission. At first floor the property is white painted stone blockwork, and white timber windows.



The established use is as a restaurant.

The application site is located within the Development Boundary of Buxton. For the purposes of planning policy consideration, the application site is located within the Buxton Central Ward, and it is Central Conservation Area.

PROPOSAL

The application seeks advertisement consent for the retention of an illuminated advertisements comprising: a fascia box sign, two side wall signs and circular projecting LED lightbox (although no details are shown on the proposed plan for this signage).

The shopfront fascia sign occupies the full width of the building and is 4.7m wide and

is 0.46m high it projects 70mm from the shop front and would be internally illuminated. Two side wall signs depicting kebabs and each measuring 0.7m by 0.53m. Material finish is aluminium frame with acrylic. The illuminated projecting sign is circular and has a diameter width of 70 cm.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
EQ6 Design and Place Making
EQ7 – Built and historic environment

Supplementary Planning Document

National Design Guide (2019) (NDG)
High Peak Design Guide Adopted 2018
Design Guidance for Signs
Design Guidance for Shopfronts
Buxton Conservation Areas Character Appraisal (April 2007)

National Planning Policy Framework (2024)

Including sections -
12: Achieving well-designed places
16: Conserving and enhancing the historic environment

Planning Practice Guidance

Advertisements:

- Considerations affecting public safety
- Considerations affecting amenity

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 08/11/2024
Neighbour consultation period ends: 08/11/2024
Agreed Extension of Time: 24/01/2025

Public Comments

5 representations received objecting, stating:
The proposed signs are not in keeping with the neighbouring businesses and will detract from the with the character of the area rather than enhance it.
Inappropriate materials for the Conservation Area (plastic rather than

timber), with oversized, back-lit lettering (rather than LED rope downwash illumination)

Advertising consent has not been sought for the inappropriate vinyls that have been adhered to the lower part of the glass (these show the sorts of food that the takeaway might sell and do therefore constitute advertising) or for the proposed donor kebab images to be installed on the pilasters.

Fail to meet the key criteria for preserving or enhancing the character or appearance of the Conservation Area, as required by section 72 of Planning (Listed Buildings and Conservation Areas) Act 1990

Out of character with the other shops in the area (some of which have recently been restored) and contrary to the current incentive to restore local shopfronts and preserve the character of the town.

Environmental Health

Advisory levels of illumination provided

Town / Parish Comments

N/A

DCC Highways

No objections

DCC Conservation Officer

Objection - Less than substantial harm

The original shopfront had traditional pilasters, with recessed door. The previous shop front had been unfavourably adorned with foliage and a contemporary sign. However, the foundations of the previous shopfront was in keeping with the traditional shopfront visible along High Street. No. 18 – 22 high street present prime example of shopfronts within the conservation area and immediate street scene.

In contrast the proposed shopfront presents a modern shopfront and signage. The proposal does not take note of the HPBC 'A Design Guide for Shopfronts' and HPBC 'A Design Guide for Signs'. The proposal presents a very flat and uninteresting shopfront and signage, which is not in keeping with the conservation area and street scene. As such the proposal presents less than substantial harm to the conservation area.

The retrospective shop front and internally illuminated signage is considered unacceptable; in order to make this acceptable, the applicant would need to consult out shopfront and signages SPD's which are available on our website. These offer detailed guidance on acceptable shopfronts and should inform design.

OFFICER COMMENTS

Principle of Development

According to the Planning Practice Guidance: Regulation 3 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Visual Amenity

The PPG advises: "Amenity" is not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It includes aural and visual amenity (regulation 2(1)) and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest (regulation 3(2)(a)).

It is, however, a matter of interpretation by the local planning authority (and the Secretary of State) as it applies in any particular case. In practice, "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.

The site is located in the Buxton Central Conservation Area in a prominent location in the High Street. The Conservation Area designation is in recognition of the historic importance of the town and the contribution its heritage plays in defining the character and appearance of the built environment. The Buxton Conservation Area Character Appraisal reviews the characteristics of the Central Conservation Area and specifically comments on the negative factors undermining the character and appearance of the conservation area and states that many traditional shopfronts within the commercial core have been lost and replaced with badly designed shopfronts and signs. These unsympathetic alterations are out of character with the buildings and general streetscene and far inferior to their original 19th century shopfronts. Fortunately, the Buxton businesses in the high street area close to the site are working to retain the surviving traditional shopfronts recognising that these contribute to the special historic character of Buxton. In addition to the loss of traditional shopfronts a significant number of commercial properties have also lost original joinery details to the upper floors.

Until recently this property had a very traditional shopfront with painted signage which included an attractive detailed cornice as google image below illustrates.



The Council has design guidance on shopfronts and signs which encourages the retention of traditional shopfronts and signage in a conservation area so that the historic character of the street scene and individual buildings are preserved. The Design Guidance for Signs notes that fascia signs are a most important element of the shopfront and local street scene, and that care must be taken to integrate the fascia within the building and so avoid obscuring windows or architectural details. Flat fascia's should be avoided by incorporating a projecting element about it known as the cornice.

The design guidance also notes how unsympathetic modern signage can be: An unfortunate trend in recent years has been to increase the area, especially the depth of the fascia and the more common use of plastic and shiny materials. This detracts from the appearance of both the building and the street.

The fascia signage is clearly contrary to these design principles. The signage is incongruous in the street scene as adjacent commercial properties have preserved the cornice line and have sited their signage below this on the original fascia board.



In terms of projecting signage, the design guidance notes traditionally hanging signs were designed flat and attached to the plan or decorative iron brackets. Incorporating hanging signs into the street scene can add interest and individuality. Too many however, can produce a cluttered appearance.

The design guidance also notes many projecting signs use materials such as acrylic, perspex and plastic, which although appropriate to modern buildings may not be in

keeping with older historic properties. Painted timer is preferable on older buildings, or in sensitive areas. Projecting box type signs tend to be bulky and uniform in style. The display of internally illuminated box signs and signs illuminated by neon tubes will not be appropriate in Conservation Areas.

The projecting sign is circular, illuminated and has a 0.70m diameter it is a modern addition which is incongruous in a conservation area setting. Together with the two wall signs they add to visual clutter on the street and is deemed unnecessary to advertise the business. The application lacks detail of the circular sign and its position on the building, it is assumed it will be hung in the position of the existing bracket.

The conservation officer objects to the application. The signage is not in keeping with the qualities of the Conservation Area and is overbearing in terms of style and appearance thus creating visual conflict within the setting of the Conservation Area.

The applicant has submitted a Heritage Statement which states that "The previous restaurant had illumination above the main sign and at either side of the shop window. The proposed signage in this case will be streamlined with integral illumination".

There has been no assessment relating to the proposed shop signage in terms of impact on the character of the Conservation Area, the conservation officer has stated her objection on the basis that the alterations to the premises will generate less than substantial harm. It is clear from both the planning and conservation officer's analysis that the advertisements are inappropriate and detract from the character and appearance of the conservation area.

The proposals are therefore considered unacceptable and contrary to local plan policies EQ6 and EQ7 which seek to protect heritage and promote good design.

Residential Amenity

Paragraph 135 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants as does local plan policy EQ6.

The first floor of these premises has been used for storage and seating in the past, not residential accommodation. On this basis the illumination of the premises would not cause disturbance to any occupants if the illuminated signage was lit during the evening and is thereby acceptable on residential amenity grounds.

Highway Safety

Public / Highway Safety Paragraph 109b) of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Local Plan policy CF6 relates to transportation and highway safety.

The Highway Authority has responded to confirm that they have no objection on highways grounds and planning officers have no reason to take a different view. It is therefore concluded that the proposed development would have no impact on highway/public safety, in accordance with policy CF6.

CONCLUSION / PLANNING BALANCE

In conclusion, the proposed signage is considered harmful to the character and appearance of the conservation area. Therefore, the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSAL

Case Officer: P. Twigg

Recommendation Date: 21.1.2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council