

DELEGATED DECISION REPORT

HPK/2025/0093
Valid 13/03/2025

28A HIGH STREET
BUXTON

**ADVERTISEMENT CONSENT
FOR PROPOSED 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 site was the subject to an enforcement complaint and investigation in the summer of 2023 in relation to the unauthorised removal of a traditional shop front. This led to a retrospective application for Advertisement Consent being submitted under HPK/2023/386 to retain an illuminated advertisement comprising a fascia box sign, two side wall signs and circular projecting LED lightbox.

This signage that was subject of the above refusal and indeed an aluminium shop frontage that was also refused under HPK/2023/0385 is still in situ, evidenced by a site visit undertaken in April 2025.

PROPOSAL

This application seeks Advertisement Consent for proposed signage of an alternative design to that unlawfully introduced and currently in situ.

The proposed signage is a fascia finished in timber that spans a width of 4.7m and a height of approximately 300mm, displaying the name of the hot food takeaway, with a black background, with a mixture of orange and white lettering either side of an image, with smaller font lettering adjacent.

As per the proposed plans, the sign would include an LED lighting strip running behind the fascia with a max 1kcd2 candelas.

The proposed use of the premises as a hot food takeaway including changes to the front elevation are subject of a separate pending planning application under HPK/2025/0131.

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 for Signs SPD
Buxton Conservation Areas Character Appraisal SPD

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/0002/5488 | Extension At Rear And Internal Alterations
(Approved 14/07/1987) |
| HPK/0003/9058 | Sign (Refused 05/06/2000) |
| HPK/2024/0385 | Retrospective application for the amendment to the front elevation of the shop to accommodate a change of use from a restaurant/ cafe, use class E(b) sale of food and drink on the premises, to Mixed Use of E(b) and Sui Generis for hot food to be eaten on the premises and takeaway. Proposed illuminated signage to front elevation (Refused 23/01/2025) |
| HPK/2024/0386 | Advertisement Consent for proposed illuminated signage to front elevation (Refused 23/01/2025) |
| HPK/2025/0131 | Replacement of front windows from aluminium window to traditional timber and change of use from a restaurant/ cafe, use class E(b) sale of food and drink on the premises, to Mixed Use |

of E(b) and Sui Generis for hot food to be eaten on the premises and takeaway (Pending)

CONSULTATIONS

Publicity

Site Notice expiry date: 1st May 2025
Neighbour consultation period ends: 21st April 2025
Press Advert: 1st May 2025

Public Comments

1no neutral comment has been received in connection with the Advertisement Consent and Full Planning application for the proposed change of use and replacement shop front under HPK/2025/0131 taken together, which essentially promotes the reinstatement of the former traditional shop front.

3no objections have been received in connection with both applications. The grounds of objection are summarised as follows:

- Incorrect door position on wrong side in relation to original shopfront
- Inaccurate plans that state first floor is not residential as existing
- Proposed signage is not in keeping with conservation area

Town / Parish Comments

N/A

HPBC Conservation Officer

Summary of Significance

High Street forms part of the medieval historic core of Buxton. This stretch of High Street is characterised by stone terraced shops, with many surviving traditional timber shopfronts.

Assessment and Impact

The applications relate to the replacement of an unlawful shop frontage with a timber replacement. The unsightly aluminium shop frontage is to be removed. This will be replaced with a timber shopfront painted black. The proposed shopfront appears to have taken guidance from the High Peak design guide for shopfronts, and includes traditional features such as timber panelling (stallrisers), fanlight and a timber framed shop window. As such the proposed shopfront is considered to be an improvement which will complement the surrounding streetscape.

Furthermore, the proposed signage is narrow and will fit within the historic timber fascia to the top of the shop front. While the style is contemporary in design the proportions are sympathetic to the shop front proposed.

Conclusions and Recommendations

In conclusion, the proposed shopfront will be in keeping with the street scene and sympathetic with other shopfronts along High Street. Therefore there are no heritage objections.

HPBC Environmental Health

No comments received at time of writing

Derbyshire County Council Highways

No comments to make

OFFICER COMMENTS

Principle of Development

Paragraph 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed and that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The site 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.

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.

With regards to projecting hanging signs, the SPD states that the size of the sign should relate to the size and scale of the shopfront and building and should normally be positioned at first floor level so that it does not obstruct the fascia or any architectural details.

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 shop frontage that is situated within the defined Town Centre of Buxton as defined by the Local Plan Proposals Map, and within the Buxton Central Conservation Area. As such, given its highly prominent and sensitive location, any signage associated with any retail or commercial premises should be handled with care.

Following the previous refusal issued under HPK/2024/0386, this application seeks consent for a revised scheme that retains its general appearance with regards to colour and branding, but with significant amendments in relation to formerly a boxed sign, illumination, and other wall and circular projecting signs, that cumulatively, were considered to result in unacceptable visual clutter which failed to sustain and enhance the conservation area.

The proposed signage has a simple appearance, comprising a narrow fascia sign, constructed of a traditional timber, with painted lettering which is welcomed. The previous two side signs and a circular projecting LED hanging signs have been removed. Officers are in agreement with the comments provided by the Conservation Officer in that this latest signage is sympathetic to the proportions of the shop frontage and the wider row of retail and commercial units. Although the sign will have a modern appearance with the lettering and a picture, it will nonetheless have a traditional timber appearance, and would thereby sustain the character and appearance of the Buxton Central Conservation Area.

As such, it is considered that the proposed signage would not give rise to any adverse harm to the visual amenity of the site and its wider setting, in accordance with LP Policies EQ6 and EQ7, relevant Supplementary Design Guidance, and relevant restrictive national policies relating to the historic environment, underpinned by Section 72(1) 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 proposed signage does not overhang the pedestrian footway. As such, and in light of the Highways Authority comments whereby they consider the sign would not have any material impact on the public highway it is considered there would be no adverse impacts to public safety, in accordance with LP Policy CF6 and paragraph 115 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

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-date, granting permission, unless:

- 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
- 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.

The application seeks Advertisement Consent for signage relating to No.28A High Street, Buxton, which lies within a prominent and sensitive location within the defined Town Centre of Buxton and within the Buxton Central Conservation Area.

For the reasons set out within the body of this report, and having regard to positive comments from the Conservation Officer, it is considered that the proposed signage addresses previous concerns and reasons for refusal associated with HPK/2024/0386. The proposed signage would not give rise to any adverse harm to amenity or public safety, sustaining the character and appearance of the host property and wider setting of the Conservation Area.

The application is thus considered to comply with all relevant Local Development Plan policies and all other material considerations, thereby amounting to 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: 8th May 2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council