

## DELEGATED DECISION REPORT

---

|                                                 |                                                                 |                                                                                                                         |
|-------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <b>HPK/2020/0484</b><br><b>Valid 03/11/2020</b> | <b>1 , DALE ROAD , BUXTON ,</b><br><b>DERBYSHIRE , SK17 6LN</b> | <b>ADVERTISEMENT CONSENT</b><br><b>AND SIGNAGE ON THE</b><br><b>FRONT OF LUCKY HOUSE</b><br><b>TAKEAWAY (RETENTION)</b> |
|-------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|

**(ADVERTISEMENT CONSENT)**

---

### MAIN ISSUES

- Design/amenity
- Public safety

### DESCRIPTION OF SITE

The application site comprises a ground floor takeaway premises located within the Buxton Central Conservation Area. The property occupies a prominent position within the streetscene and forms part of a commercial frontage characterised by shopfronts and dwellings.

### PROPOSAL

This application seeks retrospective Advertisement Consent for the display of replacement fascia signage to the front elevation of Lucky House Takeaway.

The associated operational development, comprising the replacement shopfront including uPVC windows and door, is the subject of the separate full planning application HPK/2020/0443, which has been assessed independently under the relevant planning and heritage policies. This report relates solely to the advertisement consent application.

The works have already been undertaken and comprise a white uPVC shopfront incorporating opening window sections, a replacement entrance door and a fascia sign serving the commercial premises.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### High Peak Local Plan 2016

S 1 Sustainable Development Principles  
S 1a Presumption in Favour of Sustainable Development  
S2 Settlement Hierarchy  
EQ 6 Design and Place Making  
CF 6 Accessibility and Transport

## **Supplementary Planning Documents**

High Peak Design Guide

Residential Design SPD section 9 – Domestic Extensions

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

## **National Planning Policy Framework**

Paragraph 11 The Presumption in Favour of Sustainable Development

Section 4 Decision-making

Section 9 Promoting sustainable transport

Section 12 Achieving well-designed places

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

**HPK/2005/0089** – Certificate of lawfulness (Existing) for a hot food takeaway –  
Granted.

**HPK/2020/0443** – Retrospective planning permission for the replacement shopfront,  
including replacement uPVC windows and door and associated alterations –  
Pending

This application is the associated full planning application and should be read  
alongside the current Advertisement Consent application.

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 13/01/2023

Neighbour consultation period ends: 22/12/2020

Press Advert: 10/12/2020

### **Public Comments**

Submission: Objection

Comments: I consider that signage that has been applied to the replacement uPVC  
shop front is inappropriate for the Conservation Area. It is a plastic sign across the  
whole of the frontage in garish colours. The signage should ideally be formed in  
timber, with painted or perhaps raised letters, on a dark-coloured matt background,  
and should be broken to respect the two bays of the building.

### **Town / Parish Comments**

None received.

### **Conservation Officer**

This is a retrospective application for the replacement of a traditional, painted  
shopfront with UPVC. There are also slight design changes incorporating stop-  
opening windows with a storm proof detail. A replacement, externally-sit sign has  
also been installed. The property is in the Buxton Central Conservation Area and is

in a prominent location at the Five Lane Ends Junction. The area is characterised by a high survival rate of traditional, vernacular buildings, consistent historic detailing and traditional shopfronts. The area is covered by an Article 4 Direction recognising the high survival rate of historic detailing, and vulnerability to removal, and has previously been an area which has received grant aid from the Local Authority for reinstatement of period shopfronts and other historic detailing. The previous shopfront was painted timber with the shop windows simply divided with vertical, moulded glazing bars, narrow corner sections, and individually mounted lettering on the narrow fascia. It had a painted, timber door. The replacement is in white UPVC and the flat sections, without moulding detail, and upper opening lights with storm-proof detail, fail to respect the quality of the previous shopfront and traditional building detailing. The UPVC door fails to replicate a timber traditional shopfront door and the brash, stencilled sign is of poor design compared to the previous individually-mounted letters. The alteration has harmed the historic interest of the building as a whole and had a detrimental impact on the wider streetscene. Approval would set a harmful precedent which may result in the loss of other traditional shopfronts. The loss of historic shopfronts is highlighted in the Buxton Conservation Area Appraisal (P110). There is no objection to the incorporation of upper opening windows to allow ventilation but the traditional detail would normally be inward-opening hoppers to avoid the chunky external frames. This is an unacceptable proposal and a replica of the original shopfront should be reinstated.

## **OFFICER COMMENTS**

### **Principle of Development**

This application relates solely to Advertisement Consent for the replacement fascia sign. Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, advertisement applications are determined having regard only to the interests of amenity and public safety.

Matters relating to the replacement shopfront, including the use of uPVC, design, heritage impact and compliance with Local Plan Policies EQ6 and EQ11, are considered under the associated full planning application HPK/2020/0443 and are not repeated within this report except where relevant to the assessment of the advertisement's effect on visual amenity.

### **Design and Heritage**

The replacement sign is positioned in the traditional fascia location above the shopfront and remains proportionate to the width and scale of the commercial frontage. It does not project above the fascia, obscure architectural features or introduce an overly dominant element within the street scene. The advertisement therefore retains the established visual hierarchy expected of a traditional commercial premises.

The Conservation Officer and the objector have objected to the advertisement, considering that the use of a modern plastic fascia with bold colours and applied lettering fails to reflect the traditional character of the Buxton Central Conservation

Area, where individually mounted or hand-painted lettering on a timber fascia would be more appropriate. These comments are acknowledged and attract weight in the assessment.

However, it is also recognised that commercial signage must be capable of effectively identifying the business and attracting customers. The advertisement is simple in its form, consisting of a single fascia sign displaying the business name and associated information. It is neither internally illuminated nor incorporates digital displays, moving images or excessive advertising clutter. The signage remains confined to the fascia board and does not extend onto other parts of the building.

Whilst the colour palette is more vibrant than would traditionally be expected within the Conservation Area, it is not unusual for takeaway premises to utilise brighter colours as part of their corporate identity. Furthermore, the application site occupies a position at Five Lane Ends within a mixed commercial environment where a variety of modern shopfronts, advertisements and alterations are evident. The sign therefore sits within an active commercial streetscene rather than a wholly intact historic frontage.

The advertisement enables the premises to be readily identified and supports the continued operation of an established town centre business. It remains of a scale, design and positioning that is typical of commercial fascia signage and is not considered to result in such significant visual intrusion that it would materially detract from the character of the surrounding area.

Whilst it is accepted that a traditionally designed timber fascia with individually mounted or painted lettering would better preserve the character and appearance of the Conservation Area, the advertisement itself is not considered to give rise to unacceptable harm to visual amenity. The identified impact is limited and does not justify the withholding of Advertisement Consent, particularly when the advertisement is viewed independently from the wider alterations to the shopfront, which are assessed separately under planning application HPK/2020/0443.

### **Public Safety**

The advertisement is fixed to the existing building frontage and does not project into the highway or obstruct visibility for highway users. The display is not considered to prejudice public safety.

### **CONCLUSION / PLANNING BALANCE**

This application seeks retrospective Advertisement Consent for the display of replacement fascia signage.

Having regard to the statutory tests contained within the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, it is considered that the advertisement would not give rise to unacceptable harm to visual amenity or public safety.

The planning merits of the replacement shopfront, including heritage impacts arising from the use of uPVC and associated alterations, are considered separately under the accompanying full planning application HPK/2020/0443.

Accordingly, Advertisement Consent is recommended for approval.

**OFFICER RECOMMENDATION :**

Approval subject to condition.

**Case Officer: Robert Smith**

**Recommendation Date: 24.06.2026**

X 

---

Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**