

## Item No. 5.2

### Planning and EP Committee 16 May 2017

**Application Ref:** 16/02328/ADV

**Proposal:** 2 x externally illuminated fascia signs

**Site:** 85 Mayors Walk, West Town, Peterborough, PE3 6EY  
**Applicant:** Mr Ali Shokat

**Agent:** Mr Martin Osborne  
Martin Osborne Design Services

**Referred by:** Councillor Murphy  
**Reason:** The impact of the proposal to the appearance of the surrounding area, highway safety and surrounding neighbour amenity.

**Site visit:** 07.04.2017

**Case officer:** Mr Jack Gandy  
**Telephone No.** 01733 452595  
**E-Mail:** jack.gandy@peterborough.gov.uk

**Recommendation:** **GRANT** subject to conditions.

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## 1 Description of the site and surroundings and Summary of the proposal

### Site and surrounding area

The application site comprises the former Westwood Public House located at the junction of Mayors Walk, Alderman's Drive and Nicholl's Avenue. The property has been undergoing extensive renovation, extension and conversion to create Class A1 (retail), A2 (professional services), A3 (cafe/restaurant), A4 (drinking establishment) and A5 (hot food takeaway) units at ground floor. The conversion has created residential units on the first and second floors comprising 3 no. 2-bed apartments, 1 no. 3-bed apartment and 1 no. studio apartment. To accommodate these units, a two storey side extension to the premises (fronting Alderman's Drive) has been constructed with dormer windows in the roof space. These works were initially unauthorised however they were later regularised through planning permission reference 13/00530/FUL.

Parking associated with the property is located to the rear, accessed via an enclosed drive through from Alderman's Drive, situated adjacent to the shared boundary with No.167.

The site is situated within the identified West Town Local Centre with a variety of A1 retail and other main 'town centre' uses. The wider area surrounding this is predominantly residential.

### Proposal

Advertisement consent is sought for the following two advertisements:

Sign 1) x1 externally illuminated 'Golden Bodies' aluminium fascia sign. The advert would be set approximately 2.5 metres high from ground level, measuring 3.6 metres in width x 0.7 metres in length. The proposed fascia signage would be fixed above Unit 6, with the maximum height of the lettering proposed to be no more than 300mm. This signage would be statically illuminated to 600 CD/m.

Sign 2) x1 externally illuminated 'Camilla. K Beauty Salon' aluminium fascia sign. The advert would be set approximately 2.5 metres high from ground level, measuring 3.2 metres in width x 0.7 metres in length. The proposed fascia signage would be fixed above Unit 7, with the maximum height of the lettering proposed to be no more than 300mm. This signage would be statically illuminated to 600 CD/m.

## 2 Planning History

Reference	Proposal	Decision	Date
13/00530/FUL	Construction of a single storey front extension and external alterations to create new shop fronts; Change of use of ground floor to form A1 retail and A5 takeaway unit, including the installation of extraction equipment; Change of use of existing hotel rooms and construction of a first and second floor side extension, including the installation of dormer windows, to form 3 no. 2 x bed apartments, 1 no. 3 x bed apartment, 1 no. studio apartment and commercial unit; and change of use of the garden area to provide car parking and reinstatement of parking provision to the front	Permitted	01/07/2013
16/01737/ADV	1 - 6no. externally illuminated fascia shop signs to Units 2-7 2 - 1no. externally illuminated fascia shop sign to Unit 1 - retrospective	Split Advertisment Decision	29/11/2016
17/00307/FUL	Single storey pitched extension to front of existing shop frontage	Withdrawn by Applicant	31/03/2017

## 3 Planning Policy

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

### National Planning Policy Framework (2012)

#### **Section 7 - Advertisements**

Should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Only those advertisements which would have an appreciable impact on a building or on its surroundings should be subject to detailed assessment.

### Peterborough Core Strategy DPD (2011)

#### **CS16 - Urban Design and the Public Realm**

Design should be of high quality, appropriate to the site and area, improve the public realm, address vulnerability to crime, be accessible to all users and not result in any unacceptable impact upon the amenities of neighbouring residents.

### Peterborough Planning Policies DPD (2012)

#### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

### **PP11A - (a) Shop Frontages (including signage)**

Permission will only be granted if the design is sympathetic, it would not harm the character and appearance of the street and advertisements are incorporated as an integral part of the design.

### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

### **Peterborough Local Plan 2016 to 2036 (Preliminary Draft)**

This document sets out the planning policies against which development will be assessed. It will bring together all the current Development Plan Documents into a single document. Consultation on this document took place between December 2016 and 9 February 2017. The responses are currently being reviewed. At this preliminary stage only limited weight can be attached to the policies set out therein.

## **4 Consultations/Representations**

### **PCC Peterborough Highways Services (03.04.17)**

No highway objections: The dimensions and luminance levels of the proposed signage falls within the guidance for the location specified.

### **Local Residents/Interested Parties**

Initial consultations: 17

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

A letter of representation has been received from a neighbouring resident. This states that they would object to coloured or flashing lights as they would be a constant detraction. The neighbour confirms that they have no objection to white lights illuminating the proposed signage.

### **Councillor Representations**

Councillor Murphy requested the application be considered at Planning Committee. He objects to the application on the following grounds:

- Further high density, illuminated signage in this area would be detrimental to its appearance;
- The proposal may also be an issue for Highways: recent works to the Mayors Walks road to try and alter traffic behaviour have occurred due to safety concerns. The addition of further illuminated signage may affect this;
- There are traffic lights and controlled pedestrian crossings in this residential area. Further illuminated signage would be to the detriment of surrounding residential amenity.

## **5 Assessment of the planning issues**

### **Background**

The two storey extension to the site was approved by Planning Committee under 13/00530/FUL, with various conditions imposed on this application. Specifically, Condition 7 states 'no advertisement shall be erected on any elevation of the building other than those expressly authorised by future advertisement consent from the Local Planning Authority'. This was imposed in order to protect the visual appearance of the surrounding area.

An application for advertisement consent was submitted in 2016 under reference 16/01737/ADV. The application was issued with a split decision. Advertisement consent was granted for signage on the shop front fascias of Units 2 - 7 of the building, along with their associated illumination. Advertisement consent was refused to Unit 1. The retrospective advertisement on Unit 1 was considered to be unacceptably harmful to the character and appearance of the surrounding locality.

This application relates specifically to Units 6 and 7 and the specific aluminium advertisements proposed. Their detail has been explained in Section 1 above.

The main considerations are:

- Visual appearance and impact to the surrounding area.
- Highway safety.
- Matters relating to Councillor Murphy's objection.
- Other matters.

#### **a) Visual appearance and impact to the surrounding area.**

Paragraph 67 of the National Planning Policy Framework states that "poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.....Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

Within the Mayors Walk Local Centre and the surrounding area, there is variation in advertisement design to shop fronts. The advertising to the adjacent 'Co-operative' food store and 'Stop and Shop' incorporates a design of letting that projects from the fascia board. However, to the northwest of the site, flat fascia signage is used to the Mystore retail shop and the neighbouring hairdressers.

As indicated in Section 5 under 'Background', application 16/01737/ADV approved the principle of advertisements to Units 2-7. It is not considered that the adverts proposed by this application would be unacceptably harmful to the building's appearance. Each advert's design is in proportion to the fascia boards of each unit, and of a size that would not be unduly prominent against the building. Whilst the appearance of each advertisement could be improved to better relate to the character of the building, it is not considered that this is unacceptably harmful to the surrounding area as a result of the various sign designs within the surrounding area. As such, the scheme could not be refused on this basis, particularly in light of the previous grant of advertisement consent.

The advertisements would be externally illuminated by trough lighting, which would be static and not intermittent. The trough lighting was previously approved under application 16/01737/ADV. Whilst this lighting has not yet been fitted, the principle of illumination was established under this previous application, hence approval in this application is recommended. The slimline nature and design of the external trough lighting allows for these features to be subdued, and as such they would not be considered as heavily prominent against the building's appearance or to the appearance of the surrounding area.

There is a temporary sign above Unit 7 which does not have consent. A condition shall be attached to the decision notice, requiring the temporary advertisement to be removed within 3 months and replaced with the signage proposed in this application. Overall, the proposal is considered to accord with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

## **b) Highway safety.**

The Local Highway Authority has raised no objections. Neither of the advertisements proposed would exceed the 'permitted limits' of illumination, proposed at 600 CD/m. The Local Highway Authority recommend a condition be imposed to ensure the illumination, from the trough lighting, is not visible to the users of the surrounding highways to avoid glare/dazzle to these users. Whilst the principle of the trough lighting has been established and approved under the previous application 16/01737/ADV, the condition shall be imposed for the avoidance of doubt and also to reduce any impact to surrounding neighbour amenity. Subject to the imposition of this condition, the proposal is considered to accord with Policy CS16 of the Peterborough Core Strategy DPD (2012) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

## **c) Matters relating to Councillor Murphy's objection.**

In terms of the issues raised by Councillor Murphy:

- Traffic behaviour and roadworks - Following consultation with the Local Highway Authority, it is not considered that the proposed advertisements would unacceptably affect existing highway safety levels.
- Traffic lights and controlled pedestrian crossings - Through the slimline design of the trough lighting, and the source of illumination to be only projected upon the advertisements themselves, the Local Planning Authority considers that the proposal would not be to the detriment of surrounding neighbour amenity.
- Impact of signage to surrounding area's appearance - For the reasons set out above, it is not considered that any unacceptable visual impacts would result from the proposal.

## **d) Other matters**

In terms of the comments raised by a neighbour to the site:

- The illumination from the previously approved trough lighting would not be coloured and it would be statically illuminated.

The adverts proposed by this application are for a tanning salon 'Golden Bodies' and a beauty salon 'Camilla K. Beauty Salon'. Both of these are sui generis uses. The planning permission for the site is for A1, A2, A3, A4 and A5 uses only. Therefore, planning permission is required to change the use of the units to that proposed. The planning agent has been made aware of this. However, this situation does not make the current application unacceptable, as the Local Planning Authority can only consider matters relating to visual appearance and highway safety when assessing applications for advertisement consent.

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically:

- The proposal would not unacceptably harm the appearance of the application site or the surrounding area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).
- The surrounding highways would retain their current levels of safety, in accordance with Policy PP12 of the Peterborough Planning Policies DPD (2012).

## 7 Recommendation

The Director of Growth and Regeneration recommends that Consent to Display Advertisements is

- C 1
1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  2. No advertisement shall be sited or displayed so as to:
    - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) obscure, or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air, or;
    - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring speed of any vehicle.
  3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In accordance with Schedule 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, or as subsequently amended.

- C 2
- The advertisements, hereby approved, shall be carried out in accordance with the following approved plans
- Existing Floor Plan (Drg No. 13-191-120).
  - Existing Elevations (Drg No. 13-191-121).
  - Proposed Elevations (Drg No. 13-191-123A).
  - Site and Block Plan (Drg No. 13-191-124).

The 'Proposed Ground Floor Plan (Drg No. 13-191-122)' has not been included in the approval of this application. This is because the uses shown within this plan for Units 6 and 7 do not currently have planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- C 3
- The source of illumination, i.e. the sign mounted light fittings, shall not be directly visible to users of the adjoining public highway. The illumination that emits from these lights shall not exceed 600 CD/m.

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy CS14 of the Peterborough Core Strategy 2011 and PP12 of the adopted Planning Policies DPD (2012)

- C 4 Within three months of the date on the Decision Notice, the retrospective temporary signage to Unit 7 shall be removed and replaced by the permanent signage hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory external appearance to the site and the surrounding area , in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

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