

<u>No:</u>	BH2012/00047	<u>Ward:</u>	WITHDEAN
<u>App Type:</u>	Advertisement		
<u>Address:</u>	227-233 Preston Road, Brighton		
<u>Proposal:</u>	Display of internally illuminated fascia (letters only) and projecting signs, and non-illuminated ATM surround and totem sign.		
<u>Officer:</u>	Adrian Smith	<u>Valid Date:</u>	24/01/2012
<u>Con Area:</u>	Preston Park	<u>Expiry Date:</u>	20 March 2012
<u>Listed Building:</u>	N/A		
<u>Agent:</u>	WYG Planning & Design, 100 St John Street, London, EC1M 4EH		
<u>Applicant:</u>	Sainsburys Supermarkets Ltd, c/o WYG Planning & Design		

1 RECOMMENDATION

That the Committee has taken into consideration and agrees with the reasons for the recommendation set out below and the policies and guidance in section 7 of this report and resolves to **GRANT** advertisement consent subject to the following Conditions and Informatives.

Regulatory Conditions:

1. This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.
Reason: To accord with Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of amenity and public safety.
2. The development hereby permitted shall be carried out in accordance with the approved drawing nos.400, 403 rev A, 405 rev A, 406 rev B & 4875G01-ELEV rev 1K (pages 1-3) received on the 9th January 2012; and drawing no. 402 rev E received on the 27th January 2012.
Reason: For the avoidance of doubt and in the interests of proper planning.
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.
Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of visual amenity.
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.
Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety.
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: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and for the purposes of public safety and visual amenity.

6. 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.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. 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 the speed of any vehicle.

Reason: To accord with Regulation 14(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8. The illumination of the advertisement shall be non-intermittent.

Reason: To safeguard the appearance and character of the area in accordance with policy QD12 of the Brighton & Hove Local Plan.

9. Notwithstanding the details submitted, the totem sign hereby permitted shall be non-illuminated at all times.

Reason: To safeguard the appearance and character of the area in accordance with policies QD12 and HE9 of the Brighton & Hove Local Plan.

Informatives:

1. This decision to grant Planning Permission has been taken:

- (i) having regard to the policies and proposals in the Brighton & Hove Local Plan set out below, including Supplementary Planning Guidance and Supplementary Planning Documents:

(Please see section 7 of the report for the full list); and

- (ii) for the following reasons:-

The proposed advertisements would be of an appropriate and modest scale, design and illumination to the host building and wider Preston Park Conservation Area and would neither cause loss of visual amenity to the locality, nor detriment to highway safety. The proposal is considered to be in accordance with development plan policies.

2 THE SITE

The application relates to a vacant commercial premises located on the west side of Preston Road (A23), Brighton, within the Preston Park Conservation Area. The site fronts onto the A23 Preston Road and is bounded by Cumberland Road to the north and Lauriston Road to the south, with residential properties directly adjacent to the west. The building sits to the southern half of the site and has an associated parking area to the northern half of the site, accessed via Cumberland Road. Planning permission has recently been granted to change the use of the site from a car showroom (sui

generis) to two A1 retail units (see below).

3 RELEVANT HISTORY

BH2011/00336: Change of Use of car showroom/workshop (SG04) to 2no retail units (A1) incorporating installation of external condenser unit, air conditioning units and an ATM machine. Refused 27/04/2011. Appeal Allowed.

BH2005/01749/AD: Illuminated and non-illuminated fascia, Brand line and Welcome signs, totem and directional signage. Approved 28/07/2005.

4 THE APPLICATION

Advertisement Consent is sought for the installation of internally illuminated fascia (letters only) and projecting signs and a non-illuminated ATM surround to the building, and the installation of a 2.8m high internally illuminated totem sign to the northeast corner of the car park.

5 CONSULTATIONS

External

Neighbours: Twelve (12) letters of representation have been received from **3, 4, 7, 9, 13, 18, 20 Cumberland Road, 221 Preston Road (3), 4 Preston Village Mews (2)** objecting to the application for the following reasons:

- The signs are too large and intrusive for a conservation area, and will not support or enhance the historical characteristic of the local environment
- The signage is brash, wasteful to energy, anti-social and damaging to the area. It should not be lit at all as it causes light pollution and invite anti-social behaviour and crime.
- The signage is not appropriate to the look of the conservation area, and is contrary to what they said they would do in their planning application in terms of having the signage 'in keeping' with the conservation area
- The totem sign is too large and unsightly, and is not needed if the store is to be for local use as stated in the application
- Signs to attract passing trade are likely to increase traffic, parking, noise, pollution and associated nuisances in this conservation area
- The applicants have not consulted with local residents
- Sainsburys should not be allowed to open at this location and will ruin the village with this type of appearance

Preston and Old Patcham Society object to the long maroon fascia board as it provides a horizontal emphasis contrary to the vertical emphasis of the houses in the conservation area. No objection is made to the lettering. Concern is raised at the inappropriateness of the graphics in the northern side window.

CAG: Comments awaited.

6 MATERIAL CONSIDERATIONS

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate

otherwise.”

The development plan is the Regional Spatial Strategy, The South East Plan (6 May 2009); East Sussex and Brighton & Hove Minerals Local Plan (1999); East Sussex and Brighton & Hove Waste Local Plan (February 2006); Brighton & Hove Local Plan (21 July 2005).

7 RELEVANT POLICIES & GUIDANCE

Planning Policy Statements (PPS):

PPS 5: Planning for the Historic Environment

Brighton & Hove Local Plan:

QD12 Advertisements and signs

QD27 Protection of amenity

TR7 Safe development

HE9 Advertisements and signs within conservation areas and on, or in the vicinity of a listed building

Supplementary Planning Document:

SPD07 Advertisements

8 CONSIDERATIONS

Matters relating to the principle of retail use of the site and the proposed hard landscaping are not material planning considerations in respect of this application for advertisement consent. The main considerations in the determination of this application relate to the impact of the proposed signage on the appearance of the building, street scene and Preston Park conservation area, and its affect on public safety and amenity.

Planning Policy:

Policy QD12 of the Brighton & Hove Local Plan states that sensitively designed and located advertisements and/or signs, which contribute to the visual amenity of the area and do not prejudice public safety, will be permitted. Advertisements and signs, which are detrimental to visual amenity and/or would adversely affect public safety, will not be allowed.

Policy HE9 of the Brighton & Hove Local Plan states that advertisements and/or signs within conservation areas will only be allowed where:

- a) they do not have an adverse effect on the architectural and historic character or appearance of the building, on conservation areas, or on their settings;
- b) the advertisement and/or sign relates to the function of the premises upon which it is displayed;
- c) the type of material chosen respects the character/appearance of the building and/or area; and
- d) if illumination is required, the advertisement and/or sign has individually halo or internally illuminated letters on an unlit fascia, or is externally spot lit.

Internally illuminated fascias will not be permitted.

Design and Appearance:

The site currently forms a vacant car showroom with an extant planning permission to convert into two retail units (BH2011/00336). This application relates to the advertisements for the front retail unit, proposed to be a Sainsburys convenience store.

The application proposes a non-illuminated plum coloured fascia to the front/east elevation, wrapping partially around onto the north and south elevations. This would be located on the building's existing fascia board which sits above the main window frontage. Internally illuminated canister lettering would be mounted onto the fascia on the front and north elevations only, with a single internally illuminated projecting sign to the front elevation above the entranceway. It is considered that the scale and illumination of the lettering is modest in relation to the frontage, and sits appropriately within the fascia. The 600mm by 900mm projecting sign also sits well within the fascia and does not dominate the frontage. Similarly, the non-illuminated signage around the ATM is modest and not harmful to the appearance of the building. Further applied graphics are to be placed inside the north and south windows, with the main street frontage remaining open. Again, these elements of the proposal would not harm the appearance of the building or the wider conservation area.

A 2.9m tall and 1.1m wide totem sign is proposed in the northeast front corner of the car park, advertising the services and opening hours of the site. As submitted the totem sign was to be internally illuminated. The applicants have since confirmed that the sign is to be non-illuminated in order to reduce its impact on the appearance of the conservation area. This is secured by condition. It is noted that a larger 4.6m tall and 1.6m wide totem sign was previously located in this position advertising the Caffyns showroom that previously occupied the site. This totem was granted advertisement consent in 2005 (BH2005/01749/AD) alongside other internally illuminated signage to the building itself. On balance, it is not considered that a smaller non-illuminated totem sign of this scale is so harmful as to warrant the refusal of permission. It would be located fronting the main A23 and in the context of a car park and other street furniture nearby and would not be an excessive or irregular feature fronting a large commercial premises such as this.

For these reasons it is not considered that the signs as proposed would cause undue amenity harm to the appearance of the building or the wider street scene. As such, they would be appropriate to the site and would not harm the general character and appearance of the Preston Park Conservation Area, in accordance with policy HE9 of the Brighton & Hove Local Plan and SPD07 'Advertisements'.

Impact on Amenity:

The proposed signs are located sufficiently away from the nearest residential buildings such that they would not cause light disturbance. Similarly, they are located appropriately in relation to the footway such that they would not cause a highway or footway safety risk.

Other Considerations:

Objections have been received raising concern over the potential for the signage to encourage more traffic to the site and anti-social behaviour. There is no evidence that such incidences would likely occur specifically as a result of the signage proposed. The site has been historically in commercial use and there is no evidence that anti-social behaviour or vehicular traffic levels rose significantly when similar signage operated at the site when in use as a car showroom.

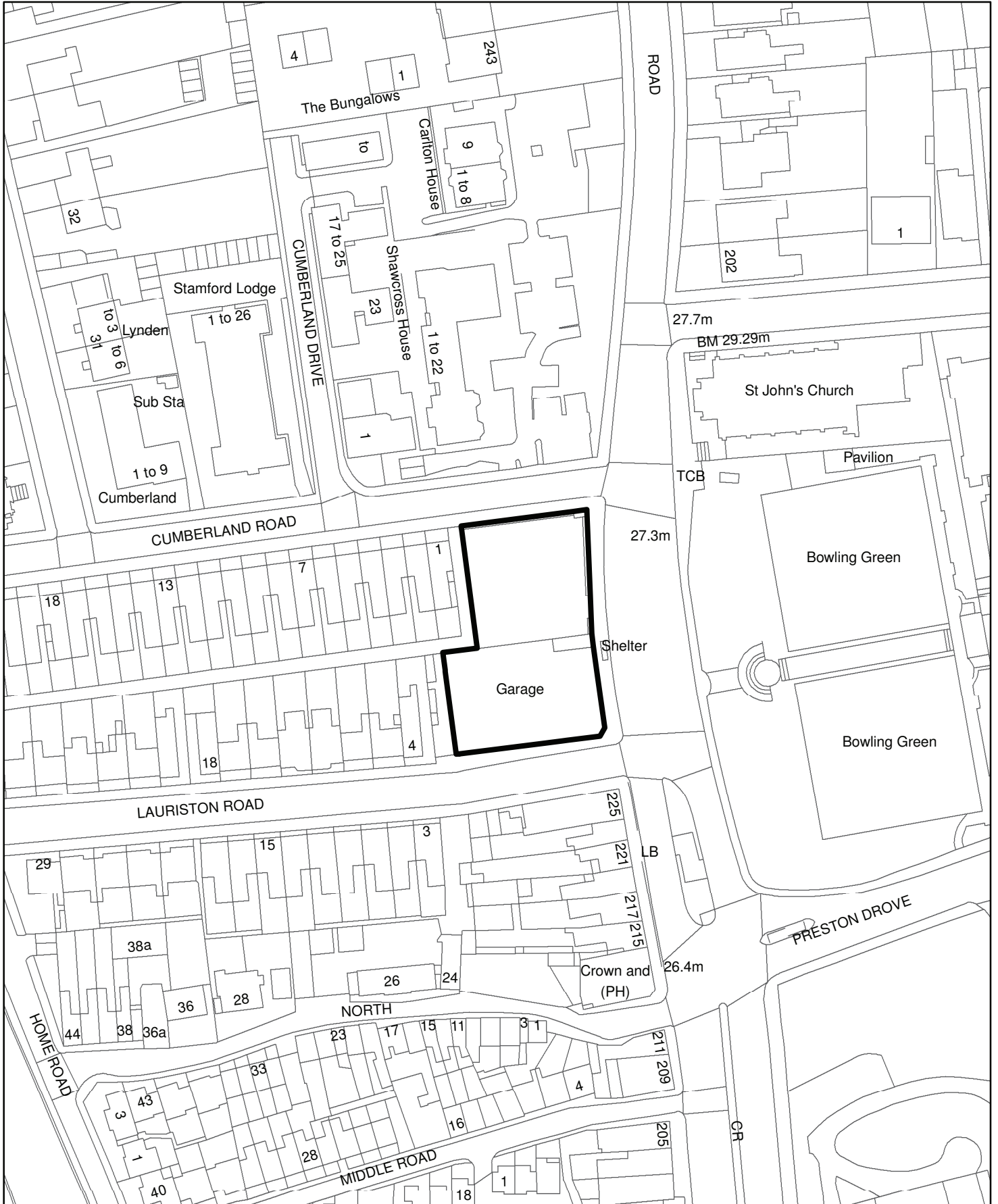
9 CONCLUSION

The proposed advertisements would be of an appropriate and modest scale, design and illumination to the host building and wider Preston Park Conservation Area and would neither cause loss of visual amenity to the locality, nor detriment to highway safety. The proposal is considered to be in accordance with development plan policies.

10 EQUALITIES IMPLICATIONS

None identified.

BH2012/00047 227-233 Preston Road, Brighton.



**Brighton & Hove
City Council**



Scale: 1:1,250

