DELEGATED DECISION REPORT

SMD/2017/0388 **6 MARKET PLACE** **ADVERTISEMENT CONSENT**
Valid 03/10/2017 **LEEK**

(ADVERTISEMENT CONSENT)

MAIN ISSUES

- Impact upon Heritage Assets
- Design

DESCRIPTION OF SITE

The application site comprises No.6 Market Place, Leek; a three storey building within a row of similar development to the eastern side of the Market Place, Leek. The front (western) elevation faces the market place and the pedestrian footprint that runs north to south. The site is located within a prominent and central part of the Leek Conservation Area.

The building is occupied by 'Beer Dock'. The site has permission for A1 Retail Use but it is clear from visiting the site that the current operations by 'Beer Dock' are of a mixed Sui Generis Use. Whilst one aspect of the mixed use is of retail (i.e. the buying of alcohol to consume off site), the site serves alcohol to be consumed on the premises (A4 Use) and hosts entertainment in the evening.

The front elevation of the building is characterised by an illuminated sign which has adorns the company logo. The sign has the appearance of a badge similar to a US Highway sign, with a blue background, white and red lettering, and a black border. The sign is positioned centrally above a ground floor window, clearly visible from any location in the Market Place.

PROPOSAL

The applicant is applying for retrospective advertisement consent for the sign as described above which requires advertisement consent but has been erected without the such consent being obtained.

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 Saved Policies of the Staffordshire Moorlands Local Plan (1998); Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
DC2 The Historic Environment

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7
Conserving and enhancing the historic environment	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is a long planning history associated within the site dating back to 1978 however no application is considered relevant in determining this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 14th November 2017
Neighbour consultation period ends: 8th November 2017
Press Advert: 22nd November 2017

Public Comments

No comments received

Town / Parish Comments

Leek Town Council – No objections

Conservation Officer

The sign does not relate to the historic character of the building and wider area. The sign is boxy, with exposed cabling and the internal illumination makes the sign prominent, brash and out of place. The property is within the centre of the Leek Conservation Area an in close proximity to numerous Listed Buildings. Internally illuminated signs are resisted in the Leek Conservation Area and especially so in such a sensitive historic location as the Market Place. Approval would set a harmful precedent to allow other similar signs.

I would suggest a traditional hanging sign (which could be in the shape of the proposed sign) with external illumination.

Recommend refusal and enforcement action to secure its removal.

OFFICER COMMENTS

Principle of Development

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless 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; or specific policies indicate development should be restricted.

The site is located within the Leek Conservation Area and as such is subject to policy DC2 of the core strategy and restrictive policies contained within Chapter 12 of the NPPF relating to the conservation and enhancement of Heritage Assets.

Given the sensitivity of the location and in light of the planning policy context above, the principle of development can only be considered acceptable if the application can demonstrate compliance with the restrictive national and local planning policies relating to heritage conservation set out above.

Impact upon Heritage Assets

Policy DC2 of the adopted Core Strategy seeks to safeguard and where possible enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.

Paragraph 132-134 of the NPPF sets out how a local authority should assess the significance of a heritage asset and how to assess the potential harm of any development proposal upon such an asset.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance to a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 134 states that where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.

The elevation on which the sign is erected can be viewed from all areas of the Market Place, which contains a number of listed buildings and is an important part of the character of the Leek Conservation Area.

I am in agreement with the Conservation Officer, in that the sign, with its exposed cabling, boxy appearance, and powerful internal illumination, makes the sign prominent, brash, and out of place.

For the purposes of the NPPF I consider that the proposed signage would result in less than substantial harm to the character and appearance of the Leek Conservation Area. However there are no public benefits which outweighs this harm and therefore the application represents an unsustainable form of development which is in direct conflict with policy DC2 of the core strategy and relevant paragraphs contained within Chapter 12 of the NPPF.

Design

Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. It states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area.

Chapter 7 of the NPPF highlights the importance of good design, that good design is indivisible from planning and should contribute positively to making places better for people.

Whilst the scale of the signage is reasonably modest, the modern, bold, strongly illuminated signage is considered to be totally out of keeping with the historic character of the Market Place and is inappropriate in terms of its appearance, in direct conflict with policies SS1 and DC1 of the core strategy and Chapter 7 of the NPPF.

CONCLUSION / PLANNING BALANCE

The application seeks retrospective advertisement consent for a badge style internally illuminated sign on the front elevation of No.6 Market Place, Leek, situated in a prominent position in the centre of the Leek Conservation Area.

The Conservation Officer is strongly opposed to the application due to its boxy appearance, external cabling, and strong internal illuminations, which together is out of keeping with the historic environment of the Market Place. Having assessed the proposals, I concur with these comments.

For the purposes of the NPPF, I consider that the signage would result in less than substantial harm to the character and appearance of the Leek Conservation Area. However there are not considered to be any public benefits that outweigh this

adverse harm and therefore the application is considered to represent an unsustainable form of development in terms of its impacts upon heritage assets by virtue of inappropriate and poor design, contrary to policies SS1, DC1 and DC2 of the core strategy and relevant policies relating to heritage and design within the NPPF.

For the reasons above, the application is recommended for refusal.

OFFICER RECOMMENDATION: Refuse

Case Officer: James Stannard
Recommendation Date: 18th December 2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council