

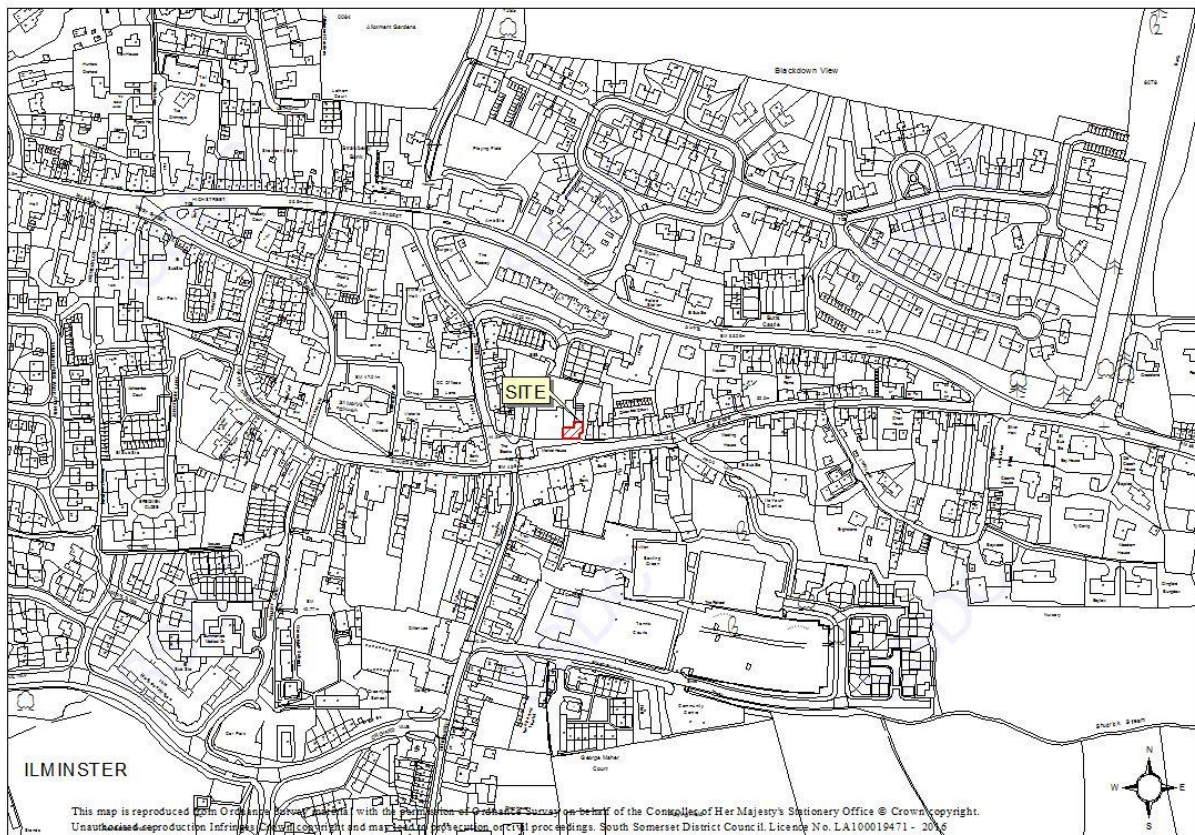
## Officer Report On Planning Application: 16/01148/ADV

<b>Proposal:</b>	The display of 6 No. illuminated window signs (Retrospective)
<b>Site Address:</b>	Old Bank Buildings East Street Ilminster
<b>Parish:</b>	Ilminster
<b>ILMINSTER TOWN Ward (SSDC Member)</b>	Cllr Carol Goodall Cllr Val Keitch
<b>Recommending Case Officer:</b>	Louisa Brown Tel: (01935) 462344 Email: louisa.brown@southsomerset.gov.uk
<b>Target date:</b>	1st June 2016
<b>Applicant:</b>	Mr Colin Bundett
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Other Advertisement

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to Area West Committee at the request of the Ward Members and with the agreement of the Vice Chair, to allow the views of Ilminster Town Council to be debated.

### SITE DESCRIPTION AND PROPOSAL





This is a retrospective application seeking advertisement consent for the display of 6 no. illuminated window signs within the ground floor area of Old Bank Buildings, East Street, Ilminster.

The property is located within a conservation area and there are listed buildings to the east, south and west of it. The area is characterised by commercial premises as the property is located within the town centre.

The 6 no. signs are located within the ground floor windows of the property, three to the left of the door and three to the right of it.

## HISTORY

Most recent history;

14/05684/ADV: display of 1 no. non-illuminated fascia sign and 1 no. non illuminated hanging sign - approved 15/04/15

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless

material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)  
Policy EQ2 - General Development

National Planning Policy Framework  
Chapter 7: Requiring Good Design (paragraph 67)

South Somerset District Council guidance:  
The Design of shopfronts - Signs and Security Measures (adopted April 2006)

## **CONSULTATIONS**

### **Iminster Town Council:**

"A distraction whilst driving through the town. Not in keeping with the conservation area. How necessary are illuminated signs when there is limited footfall in the town at night  
RECOMMEND OBJECTION on the grounds that it is detrimental to the conservation area."

### **Highways:**

Standing Advice

### **SSDC Highway Consultant:**

No highway issues, no objection.

## **REPRESENTATIONS**

Five neighbours were notified and a site notice displayed at the site. No comments received.

## **CONSIDERATIONS**

### **The NPPF states:**

"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. 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."

The issues to assess in line with the NPPF and local policy are the impact on amenity and public safety.

### **Public Safety:**

The highway authority has assessed the application and has referred to standing advice. The standing advice states:

"Any developer shall ensure that installations do not interfere with the use of the highway or prejudice highway safety by distracting or confusing road users, or by causing dazzle, glare

etc. due to their size, detailing and/or proximity to the public highway."

The Town Council have objected due to the illumination being a distraction to drivers. The signs are located within the property and are illuminated around the outside. The illumination is considered to be minimal and no different to lights being on within the window areas, for which there are no restrictions. Furthermore the SSDC highway consultant has stated that there are no highway issues and no objection to the proposal.

It is considered that, as the illumination is behind the shop windows and not directly facing oncoming cars, there will be no adverse impact on traffic by way of dazzle or distraction.

#### **Amenity:**

The Town Council have objected due to the signage not being in keeping with the conservation area and the illumination not being necessary, when there is no footfall at night.

The SSDC guidance refers to illumination usually only being considered for premises open during the evening if listed or within a conservation area and that such lighting must be carefully and unobtrusively designed to respect the building and area. It is considered that whilst the premises is not open at night the actual illumination is carefully and unobtrusively designed to respect the area and building and the guidance only states that 'usually' illumination is not allowed. In this instance, as the property is not listed and the illumination is within the property it is considered to be acceptable.

The NPPF states; "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." It is considered that the advertisements do not have an appreciable impact on the building, which is not listed, nor on its surroundings.

It is considered that the illumination is, by reason of the signage location, not significant enough to warrant a refusal. Lights could be on in the building without consent all night. The illumination is minimal and is not located externally, which would be more intrusive in the area.

#### **Conclusion:**

It is considered that by reason of location, scale, design and illumination the proposal accords with the advice within the District Councils guidance and the NPPF and does not result in an adverse cumulative impact within the Conservation Area or on highway safety.

#### **RECOMMENDATION**

Approve with conditions

01. The advertisements do not prejudice public safety and do not adversely affect amenity in accordance with the aims and objectives of Policy EQ2 of the South Somerset Local Plan (adopted March 2015) and NPPF Chapter 7: Requiring Good Design

#### **SUBJECT TO THE FOLLOWING:**

01. (a) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

(c) Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) Before any advertisement is displayed on land in accordance with the consent now granted, the permission of the owner of that land, or of a person entitled to grant such permission, shall be obtained.

(f) no advertisement shall be displayed so as to endanger persons, obscure or hinder the interpretation of any official sign

(e) The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

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