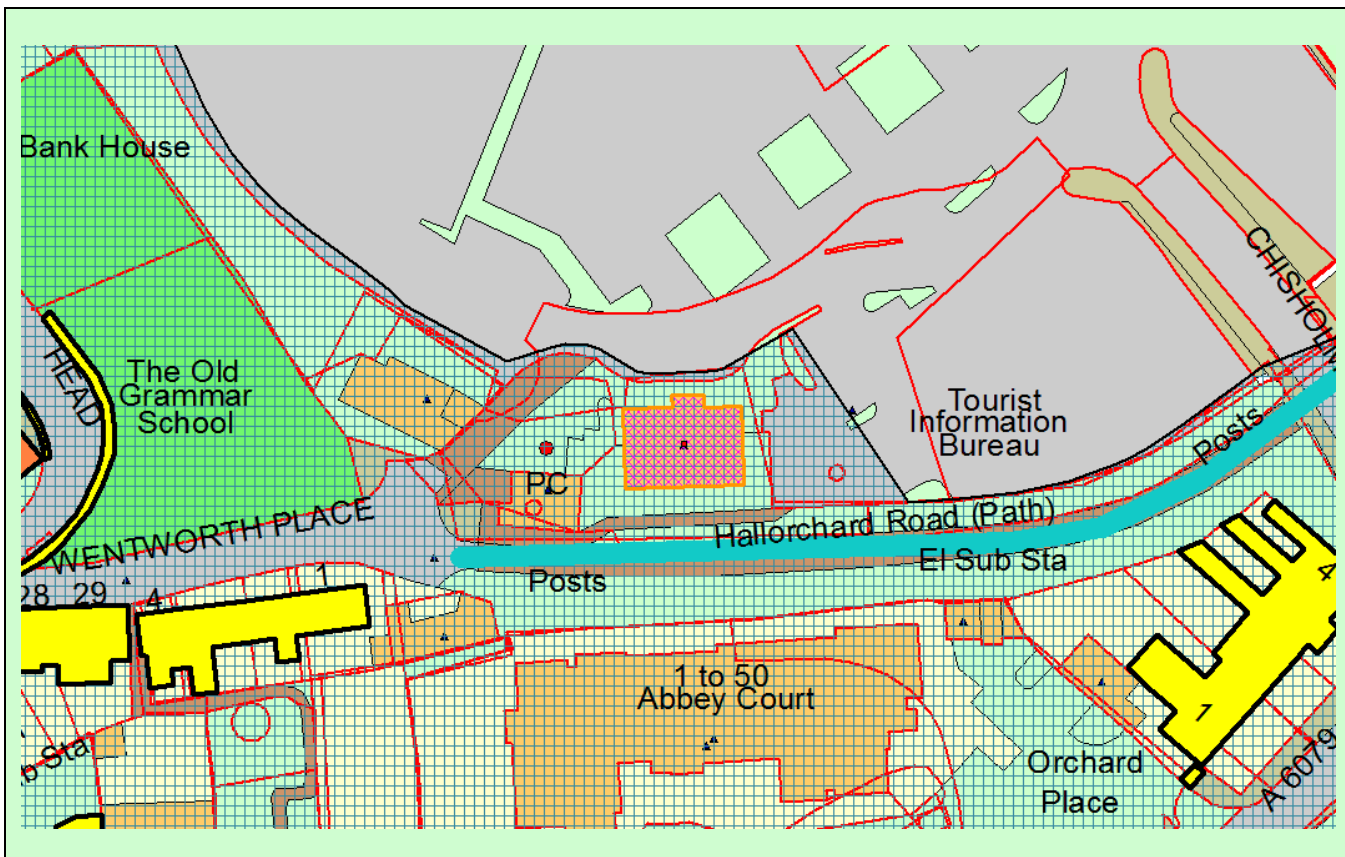




Northumberland County Council

Tynedale Local Area Council Planning Committee 13 November 2018

Application No:	18/03196/ADE		
Proposal:	Advertisement Consent for non-illuminated fascia sign to front elevation		
Site Address	Hexham Tourist Information Centre, Wentworth Car Park, Alemouth Road, Hexham, Northumberland, NE46 1QE		
Applicant:	Mr Gareth Edwards Far Place Sidehead, Westgate, Bishop Auckland, DL13 1LE, United Kingdom	Agent:	None
Ward	Hexham East	Parish	Hexham
Valid Date:	19 September 2018	Expiry Date:	14 November 2018
Case Officer Details:	Name: Miss Rachel Campbell Job Title: Planning Officer Tel No: 01670 625548 Email: Rachel.Campbell02@northumberland.gov.uk		



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1. Introduction

1.1 This application falls to be determined by members of the Tynedale Local Area Council Planning Committee, in accordance with the Council's current Scheme of Delegation, as the building is owned by Northumberland County Council.

2. Description of the Proposals

2.1 The application seeks consent for one advertisement to be displayed at Hexham Tourist Information Centre, Wentworth Car Park, Alemouth Road in Hexham.

2.2 The application seeks advertisement consent to display one non-illuminated fascia signage. The fascia signage would measure 0.6 metres in height, 2.4 metres in width and 0.03 metres in depth, and would be 2.63 metres from ground level. The material of the signage would be aluminium and the text would be black and would be on a yellow background.

2.3 The application site is located within Hexham Conservation Area, is within a low risk coal advice area and is within an Impact Risk Zone for a nearby SSSI. There are also a number of listed buildings within the wider locality.

2.4 The application has been submitted alongside a change of use application (planning reference: 18/03195/FUL) for the change of use of the vacant Tourist Information Centre into a charity shop. The proposed signage would advertise the Farplace Animal Rescue Charity Shop.

3. Planning History

Reference Number: 18/03195/FUL

Description: Change of use to charity shop

Status: Pending Consideration

Reference Number: T/980567

Description: Construction of tourist information centre and public toilets

Status: Permitted

Reference Number: T/980302

Description: Construction of tourist information centre (As amended by drawing no. TICWENT/11.DWG received 11.5.98)

Status: Refused

4. Consultee Responses

Building Conservation	No objection.
Hexham Town Council	No objection as any shop is better than an empty premise but Hexham Town Council believes there may be more appropriate use of the building and hopes Northumberland County Council can find a better tenant.

Highways	No objection.
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5. Public Responses

Neighbour Notification

Number of Neighbours Notified	4
Number of Objections	0
Number of Support	0
Number of General Comments	0

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

Notices

Site notice affecting Conservation Area – Displayed on 16th October 2018
 Press notice in Hexham Courant – Published on 27th September 2018

Summary of Responses:

None received.

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PEMGTDQSIWP00>

6. Planning Policy

6.1 Development Plan Policy

Tynedale LDF Core Strategy (2007)

Policy BE1 – Principles for the Built Environment

Tynedale District Local Plan (2000)

Policy BE4 – Shop Front Designs

Policy BE5 – Shop Signs

Policy BE22 – The Setting of Listed Buildings

Policy GD2 – Design Criteria for Development

Policy GD4 – Range of Transport Provision for all Development

6.2 National Planning Policy

National Planning Policy Framework (NPPF) (2018)

National Planning Practice Guidance (NPPG) (2018, as amended)

6.3 Other Documents/Strategies

Policy BE1 - Locally Distinctive and High Quality Design
Policy BE3 - Sustainable Design
Policy BE4 - Shop Front Signage
Policy LE5 - Signage in Hexham

7. Appraisal

7.1 Paragraph 132 of the NPPF states *“the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”*. The consideration of the application will be limited to these issues.

Amenity

7.2 The NPPG provides useful guidance on how “amenity” ought to be assessed for this type of application. It advises that amenity is usually understood to mean the effect on visual or aural amenity in the immediate neighbourhood of an advertisement or site for the displays of advertisements, where residents or passers-by will be aware of the advertisements. So in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood; for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

7.3 In this case, the application site is located within Hexham Conservation Area and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *“special attention shall be paid to the desirability of preserving or enhancing the character or appearance”* of a Conservation Area by a local planning authority. The Hexham Shopfront Design Guide sets out design principles for advertisements in Hexham and states that *“in a market town such as Hexham, shops and commercial premises are a key element to the Conservation Area, and have considerable impact on its overall appearance”*.

7.4 The Hexham Shopfront Design Guide also states *“contemporary designs are sometimes acceptable if they are of high quality, use traditional scale and proportions, and respect the host building and street scene”*. Policies GD2 and BE4 of the Tynedale District Local Plan both highlight the importance of good design and state that development should be appropriate and in keeping with the character of the surrounding area.

7.5 There are also a number of listed buildings within the wider locality and therefore due regard is had to the statutory duty under Sections 16 and 66 of the Planning

(Listed Buildings and Conservation Areas) Act 1990 which seeks to preserve listed buildings, their setting and their architectural and historic interest. Policy BE22 of the Tynedale District Local Plan sets out the criteria that development must meet in relation to the setting of Listed Buildings. The policy states *“proposals for development which would adversely affect the essential character or setting of a Listed Building will not be permitted”*.

- 7.6 The Council’s Building Conservation Team has been consulted on this application to assess the impact of the signage on the Hexham Conservation Area and the nearby listed buildings. The Building Conservation Officer has no objection to the application. This is a material consideration in the determination of this application, to which significant weight is afforded.
- 7.7 The signage is considered to be appropriate within the Hexham Conservation Area. The signage is within a prominent location to the south of the Wentworth Car Park and to the west of the embankment of Hallgate/Wentworth Place, which is one of the main pedestrian routes into the centre of Hexham. The advertisement is considered to be relatively small and of a suitable size, appropriate to the building and surrounding area. The design is considered to be acceptable in this respect in accordance with Policies BE4, BE5 and GD2 of the Tynedale District Local Plan, the principles of the Hexham Shopfront Guide and the principles of the NPPF.
- 7.8 The area is a mixture of commercial and residential units. The signage would not be illuminated and therefore would not cause a nuisance and would have a limited impact upon residential and wider visual amenity. Therefore the proposal accords with Policy BE5 of the Tynedale District Local Plan.

Public Safety

- 7.9 The application has been assessed for its impact upon public safety by the Council’s Highway Development Management Team who has no objection to the development from a highway safety perspective. It is considered that the proposed development would not have an adverse impact on road safety. The proposed fascia signage is non-illuminated and it is considered that this would not have an adverse impact on the existing street lighting. The application is considered to be acceptable in this respect in accordance with Policies BE5, GD2 and GD4 of the Tynedale District Local Plan and the provisions of the NPPF.

Equality Duty

- 7.10 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.11 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.12 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.13 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.14 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 Having assessed the application against the relevant local planning policies and the National Planning Policy Framework, it is considered that the proposal represents an appropriate form of development and therefore to withhold planning permission would be unreasonable. The proposal accords with Policy BE1 of the Tynedale LDF Core Strategy, Policies BE4, BE5, BE22, GD2 and GD4 of the Tynedale District Local Plan, the principles of the Hexham Shopfront Design Guide and the principles of the National Planning Policy Framework.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. STANDARD CONDITIONS

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;
 - (c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the 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 for the display of 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.
02. The development hereby permitted shall not be maintained other than in complete accordance with the following plans:
1. Proposed Plan (No Date) (Received on: 20/09/2018)
- Reason: To ensure the development is built in accordance with the approved plans in the interests of proper planning and in line with the NPPF.

Date of Report: 23.10.2018

Background Papers: Planning application file(s) 18/03196/ADE