

PLANNING APPLICATION REPORT

Case Officer: Adam Williams

Parish: Totnes **Ward:** Totnes

Application No: 1214/19/ADV

Agent/Applicant:

Mrs Samantha Branch - Visit
Totnes/Totnes Council
5 Ramparts Walk
Totnes
TQ9 5QH

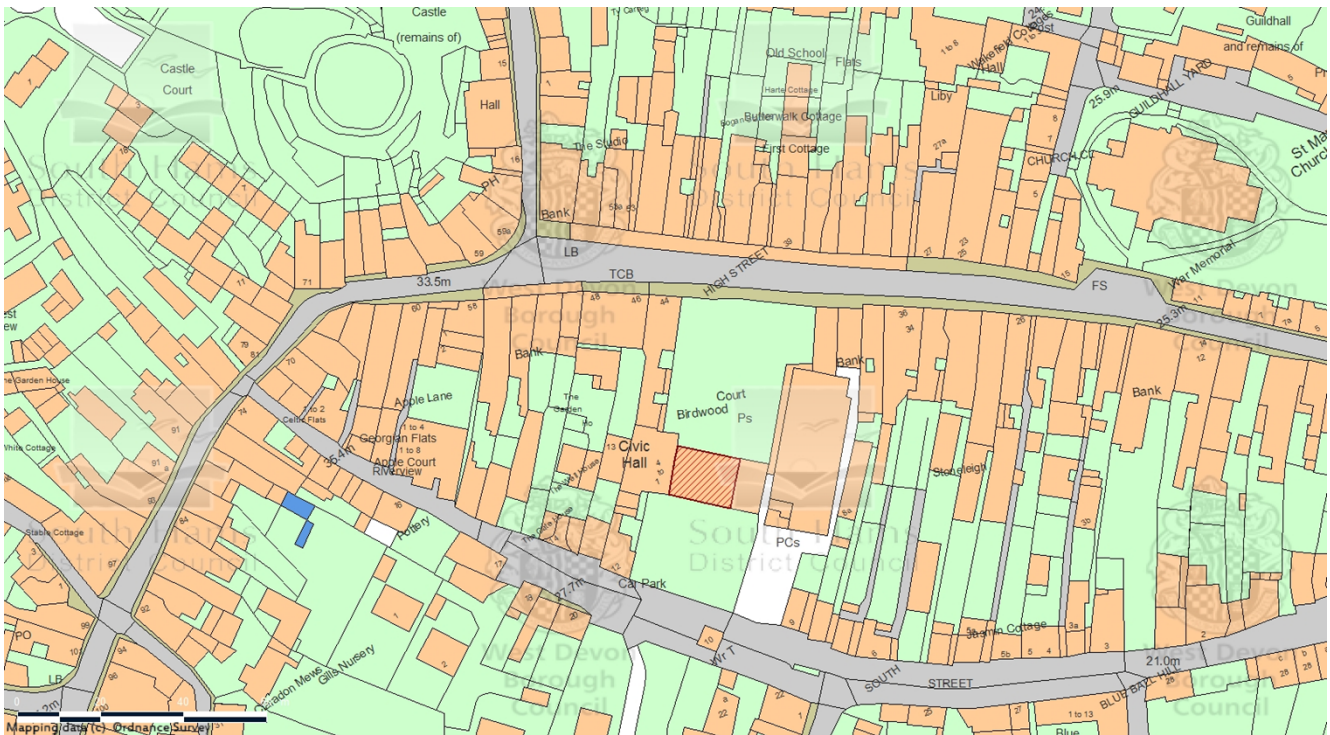
Applicant:

Mrs Samantha Branch - Visit Totnes/Totnes
Council
5 Ramparts Walk
Totnes
TQ9 5QH

Site Address: Totnes Tourist Information, Civic Hall, Market Square, Totnes, TQ9 5SG

Development: Application for consent to display advertisement sign under ramp of civic hall

Reason item is being put before Committee – *the building is owned by South Hams District Council*



Recommendation: *delegated approval to Head of Development Management subject to the receipt of revised plans that clarify the precise position of the fascia sign*

Conditions

1. Time limit
2. Accord with plans
3. No illumination
4. Standard advert conditions

Key issues for consideration:

Main considerations are amenity and public safety in terms of Advert Regulations 2007. Impact upon the setting of a listed building and Totnes CA.

Site Description:

The site is located on the southern side of the High Street, to the north of South Street within the Totnes Town Centre Zone and Primary Shopping Area. It comprises the Totnes Town Council Civic Hall, a 3 storey building which dates from 1960 with a pedestrianised area at ground floor level under the building which leads from the car park immediately to the south and Birdwood Court to the rear, a public square which leads through to the High Street. The south elevation of the building (where the works are proposed) faces directly onto the car park. The site is located within the Totnes Conservation Area, and there are numerous listed buildings within close vicinity of the site.

The Proposal:

Advertisement consent for 1 x fascia Totnes Tourist Information sign measuring 1.07m high and 2.47m wide

The application did include a movable café style banner but this was rescinded from the proposals and wont form part of this determination

Consultations:

- County Highways Authority – no comments
- Town/Parish Council - support
- Others

Representations:

None as of writing this report

Relevant Planning History

56/2344/13/AD Totnes Town Council

Advertisement consent for one fascia sign Conditional Approval

Civic Hall Market Square Totnes Devon TQ9 5SF 11 October 2013

56/2336/13/F Totnes Town Council

Application for replacement double-glazing to mural room. Replacement of extractor fan with small double-glazed window (non-opening) with obscure glass as part of bar/kitchen refurbishment Conditional Approval

Civic Hall Market Square Totnes Devon TQ9 5SF

56/1198/93/3: FUL

Civic Hall Square Totnes.

Conditional approval: 23 Sep 93

ANALYSIS

In assessing applications for consent to display an advertisement, the acceptability of the proposal should be assessed in relation to amenity (i.e. general characteristics of the locality, including the presence of any feature of historic, architectural or cultural interest etc) and public safety (i.e. highway, CCTV), taking into account material provisions of the development plan and any other relevant factors.

The Civic Hall dates from 1960 and although it is not the most highly regarded building in the town, it is very prominent from some viewpoints and is distinctive in its architecture and building materials, including slate hanging. The main close-up views of the southern elevation are from the inner relief road and the main car park. More distant views are afforded from the southern approach to the town along the A381. The closest listed building to the site is number 12 South Street, directly in front of the western portion of the building.

The site is located within the commercial town centre where there is an abundance of advertisements one would expect to see in a commercial area. The sign would be an appropriate size for the scale of the building, in a suitable location just below the crest on the northern elevation on a wooden panel, and its simple design and colours (black, white with some coloured branded lettering and small social media logos) and materials (Foamex with flush vinyl lettering) would harmonise well with the muted colours of the building. The sign would be flush with the wall and non-illuminated.

All new signs will be non-illuminated which is to be expected in this historic part of the town centre. The proposals are considered to be both sensitive and appropriate for the building within its primary shopping frontage setting and as such accord with both local and national conservation plan policies and policies controlling the use of adverts and signage.

Public Safety

There are no issues relating to public safety given the modest size and location of the sign. In terms of the moveable barrier this will be placed near the access staircase to the east and with it being conditioned to be removed outside of opening hours and the months suggested by the application (April to October) this is not considered to compromise public safety

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

DEV1 Protecting health and amenity
DEV17 Promoting competitive town centres
DEV18 Protecting local shops and services
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG).

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s)

Sign Proposed to Front elevation of Civic Hall - received by the Local Planning Authority on 30/05/2019

Site location plan – received by the Local Planning Authority on 30/05/2019

Proposed Elevation - received by the Local Planning Authority on 03/07/2019

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Notwithstanding the details illustrated on plan ref 'sign proposed to Front elevation of Civic Hall' received by the LPA on 30/05/2019', there shall be no illumination of any signage hereby approved.

Reason: To preserve the character and appearance of the conservation area the listed buildings.

4. 1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. 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.
5. No advertisement is to be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: Standard condition under the provisions of the above mentioned Regulations.

5. Prior to its installation, precise details of the appearance of the fascia sign hereby approved shall be submitted to and approved in writing by the Local Planning Authority

Reason: in the interests of visual amenity

INFORMATIVES

1. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.
2. The responsibility for ensuring compliance with the terms of the approval rests with the person(s) responsible for carrying out the development. The Local Planning Authority uses various means to monitor implementation to ensure that the scheme is built or carried out in strict accordance with the terms of the permission. Failure to adhere to the approved details can render the development unauthorised and vulnerable to enforcement action.