

Report of the Chief Executive

APPLICATION NUMBER:	26/00205/ADV
LOCATION:	4 James Street, Kimberley, Nottinghamshire NG16 2LP
PROPOSAL:	Fascia sign and hanging sign

The application is brought to the Committee at request of Councillor P Bales.

1. Purpose of the Report

1.1 The application seeks advertisement consent for a fascia sign with internally illuminated lettering and hanging sign. The signage has already been erected prior to consent being sought.

2. Recommendation

The Committee is asked to RESOLVE that advertisement consent be refused.

3. Detail

3.1 The site is an Italian restaurant named Sinatras and is a terraced brick building. South of the site is the principal access route of James Street, to the north-east is number 2 James Street and number 6 to the south-west. Numbers 7, 9 and 11 face the site. The site is within the Kimberley Conservation Area.

3.2 The signage was funded via the Kimberley Town Centre Levelling Up Fund.

3.3 Whilst there are no objections in principle to a fascia sign and hanging sign, the Conservation Officer objected to the proposal. Internally illuminated signage for commercial premises is not supported within a town centre conservation area setting. There is no objection to external lighting, such as trough lighting or uplighting. However internally illuminated signage is considered wholly contrary to the conservation area setting.

4. Financial Implications

4.1 The comments from the Head of Finance Services were as follows:
There are no additional financial implications for the Council with the costs/income being within the normal course of business and contained within existing budgets. Any separate financial issues associated with S106s (or similar legal documents) are covered elsewhere in the report.

5. Legal Implications

5.1 The comments from the Head of Legal Services were as follows: The Legal implications are set out in the report where relevant, a Legal advisor will also be present at the meeting should legal considerations arise.

6 Data Protection Compliance Implications

6.1 Due consideration has been given to keeping the planning process as transparent as possible, whilst ensuring that data protection legislation is complied with.

7. Background Papers:

- No items

1 Details of the Application

- 1.1 The application seeks advertisement consent, for a fascia signage board with internally illuminated lettering and a hanging sign, to the frontage of Sinatra's. The signage is already in place.

2 Site and surroundings

- 2.1 The site is an Italian restaurant named Sinatras and is a terraced brick building, South of the site is the principal access route of James Street, to the north-east is number 2 James Street and number 6 to the south-west. Numbers 7, 9 and 11 face the site. The site is within the Kimberley Conservation Area.

3 Relevant Planning History

- 3.1 No relevant planning history post 1974.

4 Relevant Policies and Guidance

4.1 **Part 2 Local Plan 2019**

The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 23: Proposals affecting Designated and Non-Designated Heritage Assets.
- Policy 18: Shopfronts, Signage and Security Measures

4.2 **National Planning Policy Framework (NPPF) 2024**

- Section 12: Achieving well-designed places (Paragraph 132)
- Section 16: Conserving and enhancing the historic environment

5 Consultations

- 5.1 **Council's Conservation Officer:** Objects: This application relates to a proposal that has already been objected to with BBC Enforcement. Internally illuminated signage for commercial premises is not supported within a town centre conservation area setting. There is no objection to external lighting, such as trough lighting or uplighting. However internally illuminated signage is wholly contrary to the conservation area setting. There is no objection to the new signage or the hanging sign, but there is an objection to the internal illumination. Internally illuminated signage is contrary to all supplementary planning documents relating to town centre signage. BBC does not have an adopted SPD for town centre design, but a cursory review of any neighbouring SPD's can confirm this. Conservation Officer refers to two appeal decisions which support this approach.

5.2 **The Highway Authority:** No objections

5.3 Cllr C Carr - Kimberley Ward – no comment

5.4 Cllr A Cooper - Kimberley Ward – no comment

5.5 Cllr W Mee - Kimberley Ward – no comment

6 Assessment

6.1 The main issues for consideration relate to whether the principle of an internally illuminated sign, fascia board and hanging sign are appropriate within the Kimberley Conservation Area.

6.2 **Visual Amenity and Impact on Conservation Area**

6.2.1 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.

6.2.2 Policy 18 of the Part 2 Local Plan states that proposals for signage should be granted consent provided that; they relate well to the design of the building concerned, are in keeping with the frontage as a whole and respect the character of the area.

6.2.3 The fascia sign board measures 70cm in height and 7.2m in length across the front of the building. It is set 2.3m above the ground level. The board is black with white lettering saying 'Sinatra's' and in smaller writing to either side the phone number and 'Italian restaurant'.

6.2.4 The hanging sign measures 450cm by 450cm and is 2.8m above ground level. It projects from the building by 565cm and is black with 'Sinatra's' in white lettering, which is internally illuminated. No information on the luminance level has been provided.

6.2.5 The Conservation Officer stated:

I have reviewed the submitted plans. This application relates to a proposal that I have already objected to with BBC Enforcement. Internally illuminated signage for commercial premises is not supported within a town centre conservation area setting. There is no objection to external lighting, such as trough lighting or uplighting. However internally illuminated signage is wholly contrary to the conservation area setting. There is no objection to the new signage or the hanging sign, but there is an objection to the internal illumination. Internally illuminated signage is contrary to all supplementary planning documents relating to town centre signage. BBC does not have an adopted SPD for town centre design, but a cursory

review of any neighbouring SPD’s can confirm this. Conservation Officer refers to two appeal decisions which support this approach.

6.3 Public Safety

6.3.1 It is considered that the amenity impact of the proposed signage will be minimal as it is similar to those already on James Street and there will be no increase in massing or scale.

6.4 Access

6.4.1 The signage has no impact on existing access arrangements.

7 Planning Balance

7.1 The benefits of the proposal are that the sign is an improvement design wise on the previous sign and the improved signage may result in increased footfall to James Street and the business, contributing to the vitality and viability of Kimberley Town Centre.

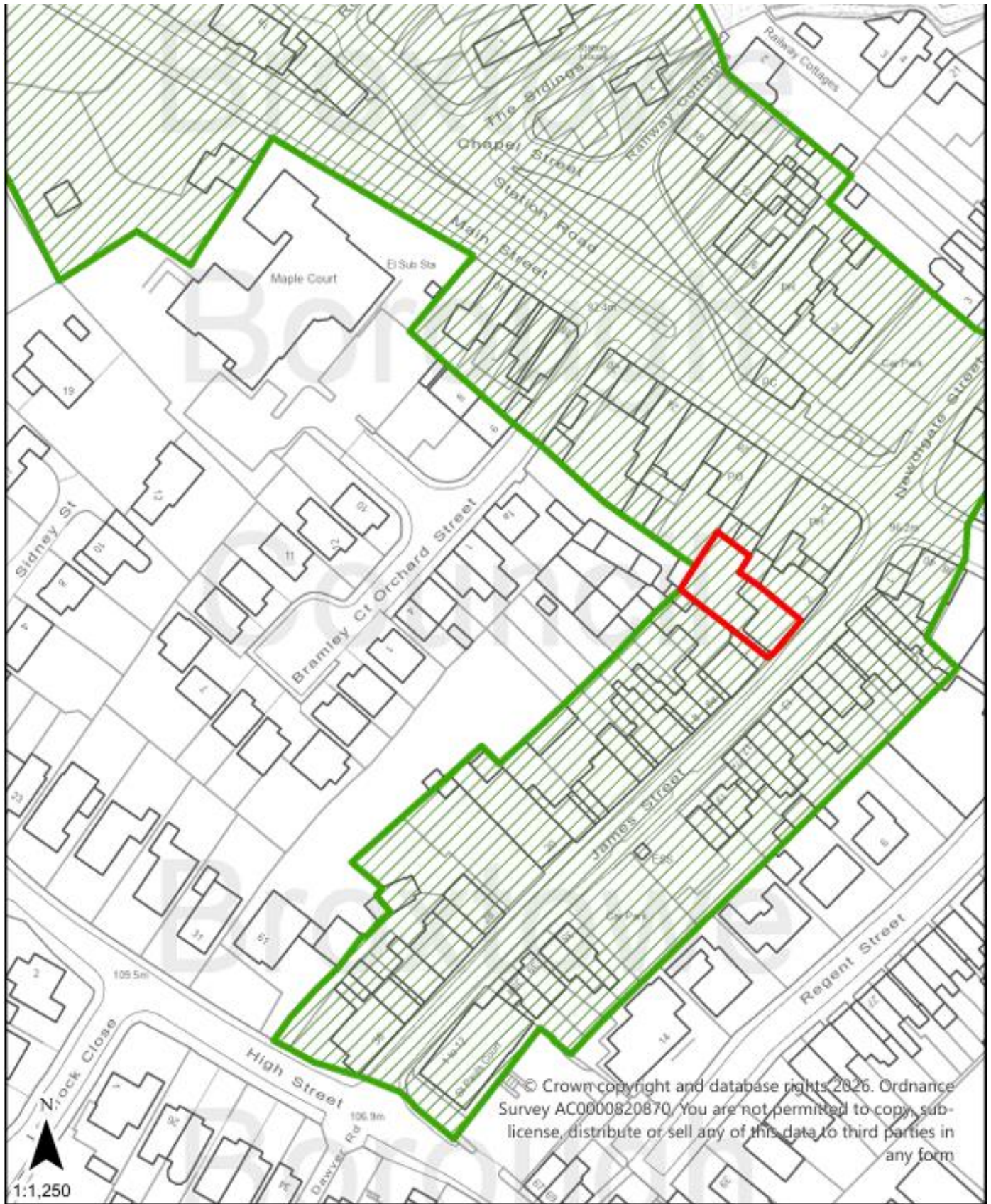
7.2 The negative impacts are the illuminance of the sign being an inappropriate feature within the Kimberley Conservation Area.

7.3 On balance the harm to the Kimberley Conservation Area outweighs the benefits to the business and advertisement consent should not be granted.

8 Conclusion

Refuse advertisement consent.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be refused for the following reasons.	
1.	The new fascia sign, by virtue of the internally-illuminated design of the restaurant name/lettering, causes harm to the character of James Street and therefore fails to maintain and enhance the character and appearance of the Kimberley Conservation Area. The development is therefore contrary to Policy 18 and Policy 23 of the Part 2 Local Plan (2019) and Section 16 of the National Planning Policy Framework (2024).

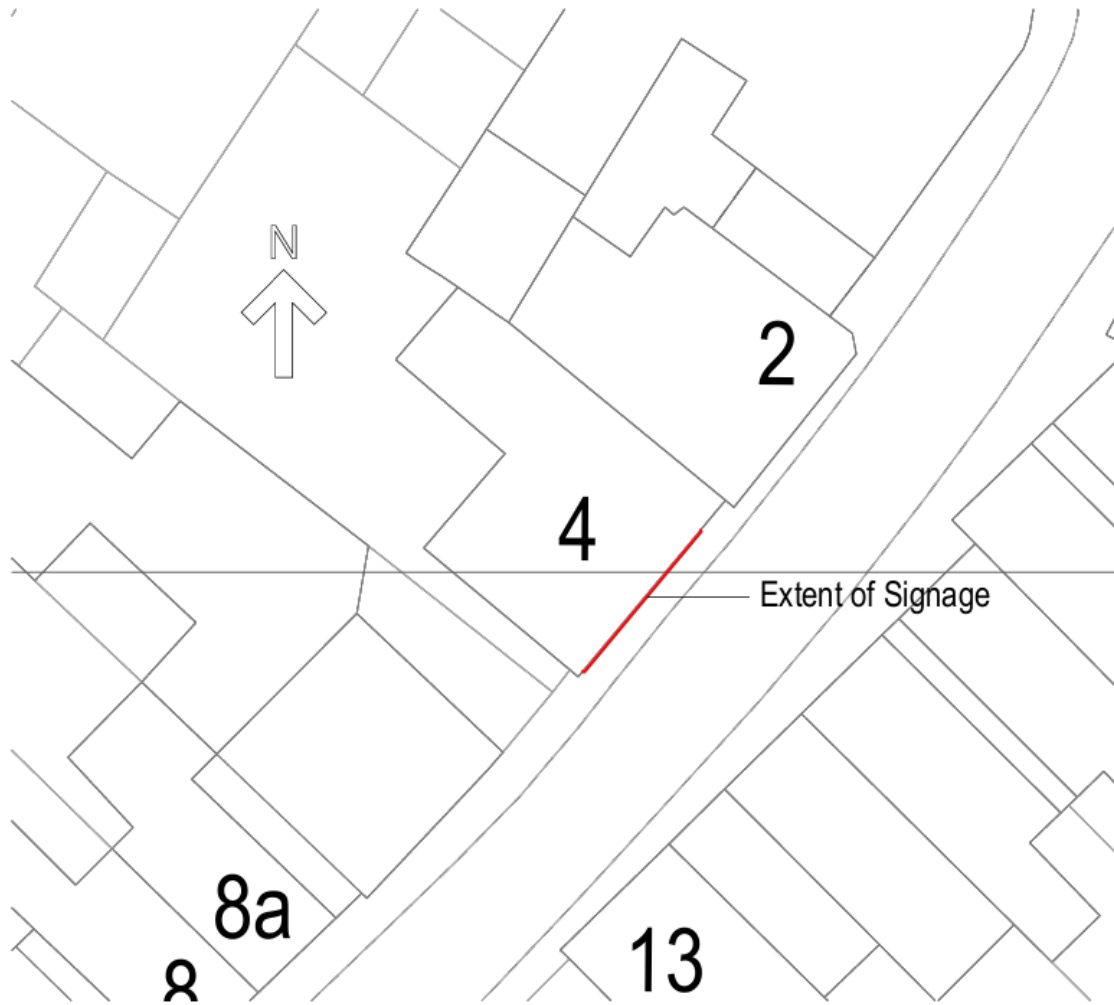


Legend

 Conservation Area

 Site

Plans (not to scale)



© This drawing is copyright and may not be altered, traced, photographed, electronically copied or used for any other purpose other than for which it is issued, without written permission from M.M. Cully.



Existing Front Elevation



Removed Sign



Section



Proposed Front Elevation



New Sign



Section