

MID SUSSEX DISTRICT COUNCIL

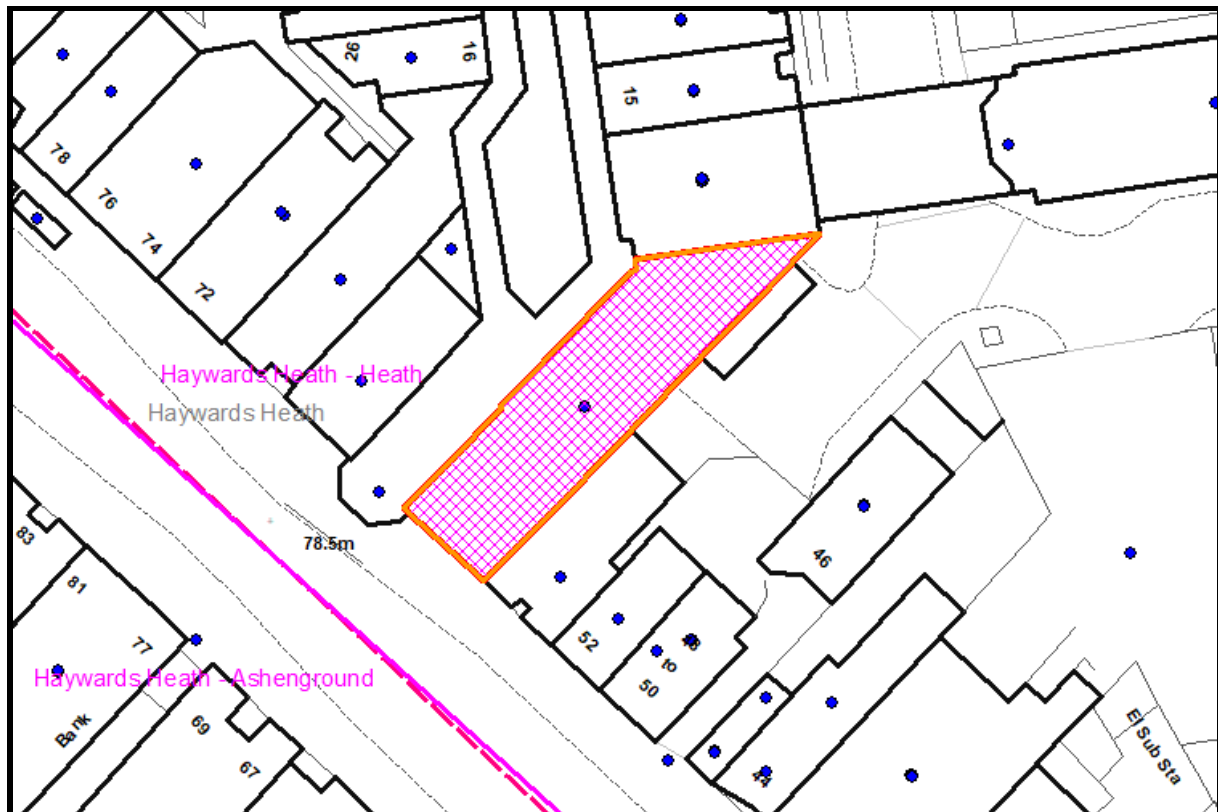
Planning Committee

13 OCT 2022

RECOMMENDED FOR PERMISSION

Haywards Heath

DM/22/2620



© Crown Copyright and database rights 2022 Ordnance Survey 100021794

**FATFACE UNIT B THE ORCHARDS HAYWARDS HEATH WEST SUSSEX
RH16 3TH
REPLACEMENT OF 3NO. FASCIA SIGNS, WINDOW FRAMES,
ENTRANCE DOOR AND FRAME WORK TO BE REPAINTED
MS LUCY ANDERSON**

POLICY: Built Up Areas / Classified Roads - 20m buffer / Aerodrome
Safeguarding (CAA) / Trees subject to a planning condition /
Highways Agreement (WSCC) /

ODPM CODE: Advertisements

8 WEEK DATE: 25th October 2022

WARD MEMBERS: Cllr Sandy Ellis / Cllr Clive Laband /

CASE OFFICER: Katherine Williams

PURPOSE OF THE REPORT

To consider the recommendation of the Assistant Director for Planning and Sustainable Economy on the application for planning permission as detailed above.

EXECUTIVE SUMMARY

Advertisement consent is sought to replace three existing signs, which would be non-illuminated.

The application relates to an existing retail unit, located on a corner plot, at the entrance to The Orchards shopping centre on South Road. The ground floor comprises the Fat Face shop, with an existing fascia on two sides.

It is being reported to planning committee as the Council is the landowner.

The proposed development complies with policies DP21 and DP26 of the Mid Sussex District Plan and policy E9 of the Haywards Heath Neighbourhood Plan.

RECOMMENDATION

It is recommended that the application be approved subject to the conditions outlined at Appendix A.

SUMMARY OF REPRESENTATIONS

No representations have been received in response to this application.

TOWN COUNCIL OBSERVATIONS

None

INTRODUCTION

The application seeks advertisement consent in order to replace three existing signs, which would be non-illuminated.

RELEVANT PLANNING HISTORY

CU/007/80 - Haywards Heath Town Centre Redevelopment comprising supermarket, 33 shops with 30 one-bed flats over, rebuilding of George Hilton and Sons' premises, all formed around pedestrian square and walkways together with additional car parking and service areas; also highway works to Church Road and Hazelgrove Road. Granted.

HH/198/97 - Refurbishment of public areas of shopping centre, including new canopies and entrance treatment. Extension of one shop unit. Granted.
DM/20/1108 - Remove existing signs and replace with 3 new updated brand logo fascia signs, one illuminated. Granted

SITE AND SURROUNDINGS

The application relates to an existing retail unit, located on a corner plot, at the entrance to The Orchards shopping centre onto South Road. The ground floor comprises the Fat Face shop, with an existing fascia on two sides. Externally the walls have a red brick finish, with regularly spaced large windows that have dark frames.

The site is located within Hayward Heath Town Centre, on the primary shopping frontage. Neighbouring units are located to the south and east of the site. To the west is the public highway whilst a pedestrian entrance into The Orchards is to the north.

APPLICATION DETAILS

This application seeks advertisement consent to replace existing signage. Three fascia signs are proposed, two on the northern and one on the western elevation and would be in a similar position to the existing signage with a grey background and white lettering.

The current application is similar to the proposal granted under application reference DM/20/1108, however the current proposal does not include any illumination.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Haywards Heath Neighbourhood Plan and the Site Allocation DPD.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP21 - Transport

DP26 - Character and Design

Haywards Heath Neighbourhood Plan

The Haywards Heath Neighbourhood Plan was formally made on 15th December 2016.

Relevant policies:
E9 - Design

Mid Sussex Site Allocations Document (DPD)

Mid Sussex District Council adopted its Site Allocations Development Plan Document on 29th June 2022. The Site Allocations DPD identifies sufficient housing sites to provide a five year housing land supply to 2031 and also makes sure that enough land is allocated to meet identified employment needs.

There are no policies deemed relevant to this application.

Other Planning Guidance

Mid Sussex Design Guide:

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Policy

The National Planning Policy Framework (NPPF) 2021 is also a material consideration and paragraphs 8, 11, 111, 126, 130 and 136 are considered to be relevant to this application.

LEGISLATION

Town and Country Planning Control of Advertisements) (England) Regulations 2007

ASSESSMENT

The Town and Country Planning Control of Advertisements) (England) Regulations 2007 states that *'a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account -*
a) the provisions of the development plan, so far as they are material; and
b) any other relevant factors'.

Factors that are listed as relevant to amenity include *'the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest'*; and factors relevant to public safety include the safety of persons using any highway (amongst others) and whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign (amongst others).

Paragraph 136 of the National Planning Policy Framework 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 advertisement, 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.'

Impact on Visual Amenity

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;*
- contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;*
- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;*
- protects open spaces, trees and gardens that contribute to the character of the area;*
- protects valued townscapes and the separate identity and character of towns and villages;*
- does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);*
- creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;*
- incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;*
- positively addresses sustainability considerations in the layout and the building design;*
- take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;*
- optimises the potential of the site to accommodate development.'*

Policy E9 of the Haywards Heath Neighbourhood Plan states:

'Developers must demonstrate how their proposal will protect and reinforce the local character within the locality of the site. This will include having regard to the following design elements:

- height, scale, spacing, layout, orientation, design and materials of buildings,*
- the scale, design and materials of the development (highways, footways, open space and landscape), and is sympathetic to the setting of any heritage asset,*
- respects the natural contours of a site and protects and sensitively incorporates natural features such as trees, hedges and ponds within the site,*
- creates safe, accessible and well-connected environments that meet the needs of users,*

- *Will not result in unacceptable levels of light, noise, air or water pollution,*
- *Makes best use of the site to accommodate development,*
- *Car parking is designed and located so that it fits in with the character of the proposed development.*

Proposals affecting a listed building, conservation area, building of local interest or public park of historic interest or their setting should preserve or enhance their special interest and/or distinctive character.'

The proposed signage is considered to be appropriate and proportionate in its size, nature and design. There are a variety of existing signage within the locality, with differing designs, scales and illumination levels. Taking into account the above, and that the proposal would replace the existing signage to the unit, which are of similar dimensions and positions to the proposed, the proposal is considered to have an acceptable impact upon visual amenity of the street scene and in terms of design and character it is considered to comply with policy E9 of the Haywards Heath Neighbourhood Plan, the Mid Sussex Design Guide and policy DP26 of the Mid Sussex District Plan.

Public Safety

Policy DP21 of the Mid Sussex District Plan relates to transport and states that development proposals should protect the safety of road users and pedestrians.

The proposed signage is set back from the highway and would not be illuminated. As such the proposed works are not considered to represent a hazard to public safety. Therefore, the proposal complies DP21 of the Mid Sussex District Plan.

CONCLUSION

The proposed signage is considered to be appropriate in terms of the design and would not detract from the amenity of the surrounding area. There would also not be an adverse impact on highways safety as a result of the development. The proposal is therefore considered to comply with policy DP26 of the Mid Sussex District Plan, policy E9 of the Haywards Heath Neighbourhood Plan and the provisions of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the NPPF.

The application is therefore recommended for approval subject to the conditions listed in Appendix A.

APPENDIX A – RECOMMENDED CONDITIONS

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 thereof 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 shall 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).

Reasons 1-5: To comply with Regulations 13(1)(b) and Schedule 1 of the above regulations.

6. The advertisement consent hereby granted expires at the end of the period of five years from the date of this notice.

Reason: To accord with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Approved Plans

7. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interest of proper planning.

INFORMATIVES

1. Your attention is drawn to the requirements of the Environmental Protection Act 1990 with regard to your duty of care not to cause the neighbours of the site a nuisance. Accordingly, you are requested that:

- Hours of construction/demolition on site are restricted only to: Mondays to Fridays 0800 - 1800 hrs; Saturdays 0900 - 1300 hrs; No construction/demolition work on Sundays or Public Holidays.
- Measures shall be implemented to prevent dust generated on site from crossing the site boundary during the demolition/construction phase of the development.
- No burning of materials shall take place on site at any time.

If you require any further information on these issues, please contact Environmental Protection on 01444 477292.

2. In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in

accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Plans Referred to in Consideration of this Application

The following plans and documents were considered when making the above decision:

Plan Type	Reference	Version	Submitted Date
Location Plan			22.08.2022
Block Plan	22 0136-1	A	30.08.2022
Existing Elevations	22.0136 E1		22.08.2022
Proposed Elevations	22 0136 01		22.08.2022

APPENDIX B – CONSULTATIONS

Parish Consultation

No Comment.