



**Report Reference Number:** 2021/0344/ADV

**To:** Planning Committee  
**Date:** 12<sup>th</sup> May 2021  
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APPLICATION NUMBER:	2021/0344/ADV	PARISH:	Tadcaster Town Council
APPLICANT:	Selby District Council	VALID DATE:	26th March 2021
		EXPIRY DATE:	21st May 2021
PROPOSAL:	Advertisement consent for 7 No non illuminated window displays covering each half of the sash window		
LOCATION:	32 Bridge Street Tadcaster North Yorkshire LS24 9AH		
RECOMMENDATION:	APPROVE		

This application has been brought before Planning Committee as this is an application by Selby District Council.

## 1. Introduction and background

### Site and Context

- 1.1 The application site is located within the defined development limits of Tadcaster, which is a Principal Town as identified in the Core Strategy. The application's site is a 3-storey building that is on the corner of Bridge Street and Kirkgate.
- 1.2 The site is located within the Tadcaster Town Conservation Area and within the setting of a number of listed buildings.

### The Proposal

- 1.3 The advertisement consent is for 7 No non illuminated window displays. These will each cover half of the sash window (not including frames) on the 7 windows of the building, totalling 14 individual signs.

## Relevant Planning History

1.4 The following historical application is considered to be relevant to the determination of this application.

2017/0681/FUL, Proposed removal of existing NatWest brand signage, and ATM machine infill existing ATM apertures, Decision: PER, Decision Date: 08-SEP-17

- 2016/0604/ADV, Advertisement application for installation of an internally illuminated 1500mm x 1040mm ATM surround, Decision: REF, Decision Date: 13-JUL-16
- 2016/0954/ADV, Advertising Consent for a non-illuminated ATM Tablet measuring 250mm in height and 1040mm in length, Decision: PER, Decision Date: 07-OCT-16
- 2014/0535/ADV, Advertisement consent for 3 No illuminated fascia signs, 2 No illuminated hanging signs, 1 No welcome signage and ATM, Decision: REF, Decision Date: 14-JUL-14
- 2014/0774/ADV, Advertisement consent for 2 fascia signs (non illuminated), 2 projecting signs (illuminated), 1 No welcome signage and ATM surround, Decision: PER, Decision Date: 05-SEP-14
- CO/2004/0747, Application for the installation of two No. external task lights, visually contrasting strips to edges of steps, two No. handrails and changes to footpath for level access to ATM at, Decision: RE, Decision Date: 11-AUG-04
- CO/2004/0747, Application for the installation of two No. external task lights, visually contrasting strips to edges of steps, two No. handrails and changes to footpath for level access to ATM at, Decision: RE, Decision Date: 11-AUG-04
- CO/2002/0860, Consent to display 2 No. non illuminated fascia signs, 1 No. non illuminated projecting sign, 1 No. branch nameplate, 1 No. hours of business panel and 1 No. information panel at National Westminster Bank, Decision: PER, Decision Date: 25-NOV-02
- CO/2001/0924, Proposed installation of handrails to existing entrance and various internal alterations, Decision: PER, Decision Date: 27-MAY-02
- CO/1995/0127, Display of two internally illuminated (letters only) fascia signs Decision: REF, Decision Date: 30-MAR-95
- CO/1993/1059, Erection of double sided internally illuminated advertisement Decision: PER, Date: 12-NOV-93
- CO/1988/1576, PROPOSED DISPLAY OF TWO ILLUMINATED PROJECTING SIGNS, Decision: PER, Decision Date: 15-AUG-88

- CO/1987/1209, Installation of service till, Decision: PER, Decision Date: 12-OCT-87
- CO/1995/1251, Display of internally illuminated fascia signs (letters only) and repositioning of existing projecting sign, Decision: PER, Decision Date: 21-FEB-96

## 2. CONSULTATION AND PUBLICITY

- 2.1 **NYCC Highways** – NYCC Highways have raised no objections to the proposed development.
- 2.2 **Tadcaster Town Council** – Tadcaster Town Council have raised no objections to the proposed development.
- 2.3 **Conservation Officer** - The proposed signage relates to the current Covid-19 pandemic and a campaign for the safe re-opening of the district's High Streets. The application seeks use of the signage until April 2022. The signage is bold in terms of its location on the windows of the prominent corner building but has the benefit of having been designed to sit within the timber frames of the windows, as opposed to covering the entire window. The colour palette is also relatively muted. The redundant state of the building is also noted (and therefore the signage would not affect any uses within at this current time). Whilst the signage is not something that would be usually welcomed in a traditional setting such as this (Tadcaster Conservation Area), the public benefit of provided the temporary signage, in light of the current pandemic, will need to be considered against conservation concerns. The Council should be mindful to take the signage down at the earliest opportunity when no longer required.
- 2.4 **Neighbour Summary** - A site notice was erected, and an advert placed in the local press. This has resulted in no letters of representation being received.

## 3. SITE CONSTRAINTS

### Constraints

- 3.1 The application site is located within the defined development limits of Tadcaster, which is a Principal Town as identified in the Core Strategy.
- 3.2 The application site is located within the Tadcaster Conservation Area and within the setting of a number of listed buildings. This includes the Grade II Listed Buildings along Kirkgate, Bridge Street and the High Street, K6 outside numbers 3 and 5, Barclay's Bank, 19 Bridge Street, 21 Bridge Street, The Angel and White Horse, The Old Brewery and 1 High Street.

## 4. POLICY CONSIDERATIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states "if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". This is recognised in paragraph 11 of the NPPF, with paragraph 12 stating that the framework does not change the statutory status of the development plan as the starting point for decision making.

- 4.2 The development plan for the Selby District comprises the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 4.3 On 17 September 2019 the Council agreed to prepare a new Local Plan. The timetable set out in the updated Local Development Scheme envisages adoption of a new Local Plan in 2023. Consultation on issues and options took place early in 2020. Consultation on preferred options took place in early 2021. There are therefore no emerging policies at this stage so no weight can be attached to emerging local plan policies.
- 4.4 The National Planning Policy Framework (February 2019) (NPPF) replaced the July 2018 NPPF, first published in March 2012. The NPPF does not change the status of an up to date development plan and where a planning application conflicts with such a plan, permission should not usually be granted unless material considerations indicate otherwise (paragraph 12). This application has been considered against the 2019 NPPF.
- 4.5 Annex 1 of the National Planning Policy Framework (NPPF) outlines the implementation of the Framework -

*“213. ....existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*

### **Selby District Core Strategy Local Plan**

- 4.6 The relevant Core Strategy Policies are:
- SP1 – Presumption in Favour of Sustainable Development
  - SP2 – Spatial Development Strategy
  - SP15 – Sustainable Development and Climate Change
  - SP18 – Protecting and Enhancing the Environment
  - SP19 – Design Quality

### **Selby District Local Plan**

- 4.7 The relevant Selby District Local Plan Policies are:
- ENV1 – Control of Development
  - ENV31 – Advertisement within Conservation Areas
  - ENV32 - Advertisements and Listed Buildings
  - T1 – Development in Relation to the Highway Network
  - SEL/10 - Services and commercial uses in the Town Centre

## **5. Appraisal**

### **The Town and Country Planning (Control of Adverts) Regulations 2011**

- 5.1 Under the control of the Town and Country Planning (Control of Adverts) Regulations, the proposals within this application fall outside of any of the deemed consents and therefore an application has been made and assessed under these regulations.
- 5.2 The regulations require that local authorities shall exercise their powers under these regulations only in the interests of amenity and public safety, taking account of any material factors, and in particular;
- A. In the case of amenity, the general characteristics of the locality, including the presence of any feature of historical, architectural, cultural or similar interest.
- B. In the case of public safety;
- i. The safety of any person who may use any road, railway, waterway dock, harbour or aerodrome;
- ii. Whether any display of advertisements is likely to obscure, or hinder, the ready interpretation of any road sign, railway signal or aide to navigation by water or air.
- 5.3 It is considered that the main issues for consideration in the determination of this application are as follows:
- iii. Visual Impact on the Character and Form of the Locality
- iv. The Impact on Amenity and Highway Safety

#### **Visual Impact on the Character and Form of the Locality**

- 5.4 The application site is located within Tadcaster's defined development limits and within the Tadcaster Conservation Area. The application seeks advertisement consent for 7 No non illuminated window displays covering each half of the sash window (not including frames), on the 7 windows of the building, totaling 14 individual signs.
- 5.5 The proposals are for the advertisement of returning to the high street safety due to the current global pandemic of COVID-19.
- 5.6 Eight of the window signs would measure 0.5 metres by 0.5 metres and six of the signs would measure 0.45 by 0.45 metres to fit the existing windowpanes. The maximum height of any of the individual letters and symbols would be 0.1 metres. The colour of the text and background would be red, burgundy, cream and blue.
- 5.7 The signage will be applied to the outside surface of the windows. The signs are made from plastic vinyl, which is applied with heat. This ensures that the signage is temporary and can be removed at any time without causing any damage to the fabric of the building.
- 5.8 These signs are to be placed in the window for a period up from the point that consent is given, until the 1st of April 2022.
- 5.9 The adverts are to displace safety messages and icon images relating to COVID-19 safety. This is a part of the ERDF funded Selby District Council campaign for Reopening High Streets Safely. Wording within the signage will include the following:
- 'Support your local high street safely'.
  - 'Enjoy Selby District'.

- 'Consider those around you'.
- 'Enjoy Tadcaster safely'.
- 'Keep your distance, wear a mask'.
- 'Shop, eat, drink, explore, safely'.

- 5.10 Given the application site is located within the Tadcaster Conservation Area and within close proximity to a number of listed buildings. Therefore, the proposed development has the potential to impact on a number of heritage assets.
- 5.11 Whilst it is noted that no Heritage Statement has been provided, the impact is easily assessed due to the nature of the submission. The proposal would have some temporary harm to the heritage assets as discussed within the report. However, details have been provided in terms of the need for the advertisement and the public benefits involved through raising awareness of social distancing measures and COVID-19 safety messages.
- 5.12 Overall, whilst it is acknowledged that the proposals would have some limited harm to the surrounding heritage assets and the overall Tadcaster Conservation Area, it is considered that this harm is outweighed by the temporary nature of the advert and the public benefits.
- 5.13 The Planning, Listed Buildings and Conservation Act 1990 includes a general duty as respects listed buildings in the exercise of planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The NPPF states in paragraph 193 that *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...'*
- 5.14 Given the above any harm albeit less than substantial would be required to be outweighed by the public benefits. It is noted from the information provided that the signage would provide clear public benefits through raising awareness of social distancing measures and COVID-19 safety messages.
- 5.15 It is noted that the Conservation Officer has commented that the signage is not something that would usually be welcomed in a traditional setting. However, the Conservation Officer has noted the clear public benefits associated with the proposals. Furthermore, the Conservation Officer has advised that the signage should be removed at the earliest opportunity when no longer required.
- 5.16 In considering the design of the signage although there are a variety of colours these are simple in form and design. Furthermore, it is considered that the signage is of an acceptable size and scale within the context of the street scene.
- 5.17 Overall, in considering the proposed application for advertisement consent would not be unduly intrusive or dominant in the street scene and would not have an adverse effect upon the character of the Conservation Area or the setting of nearby listed buildings. The proposal is considered to be acceptable in terms of visual amenity of the area. The proposal therefore accords Policies ENV1, ENV31 and ENV32 of the Selby District Local Plan and the advice contained within the NPPF.

## **The Impact on Amenity and Highway Safety**

- 5.18 Policies in relation to highway safety are Policies ENV1 (2), and T1 of the Local Plan and Policy SP19 of the Core Strategy and paragraphs 34, 35 and 39 of the NPPF.
- 5.19 It is noted that the signage faces towards the highway. North Yorkshire County Council Highways have been consulted on the application and have raised no objections.
- 5.20 Overall, having had regard to the above, it is considered that the proposal would not result in a detrimental impact on highway safety in accordance with Policies ENV1 (2), T1 and EMP9 (1) of the Local Plan, Policy SP19 of the Core Strategy and the advice contained within the NPPF.

## **6. Conclusion**

- 6.1 The proposals for advertisement consent would not be unduly intrusive or dominant in the street scene and would not have an adverse effect upon the character of the conservation area or surrounding listed buildings. The proposal is considered to be acceptable in terms of visual amenity, amenity and highway safety. The proposal therefore accords Policies ENV1, ENV31 and ENV32 of the Selby District Local Plan, Policies SP18 and SP19 of the Core Strategy and the advice contained within the NPPF.

## **7. Recommendation**

- 7.1 This application is recommended to be GRANTED, subject to the following conditions:

01.

- i) The consent hereby granted is valid until 1<sup>st</sup> April 2022.
- ii) 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.
- iii) 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 authority
- iv) Where any advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations 2011 to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority, leaving the site in a safe, clean and tidy condition that will not endanger the public or impact the site's visual amenity.

Reason:

In order to comply with the provisions of the Town and Country Planning (Control of Advertisement) Regulations 2007.

02. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

- Former NatWest Bank – Proposed Signage Locations (Site Location Plan and Elevations) - RHS01
- Former NatWest Bank – Proposed Signage Samples RHS02

Reason:

For the avoidance of doubt.

## **8. Legal Issues**

### **8.1 Planning Acts**

This application has been determined in accordance with the relevant planning acts.

### **8.2 Human Rights Act 1998**

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention rights.

### **8.3 Equality Act 2010**

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

## **9 Financial Issues**

Financial issues are not material to the determination of this application.

## **10 Background Documents**

**Planning Application file reference 2021/0344/ADV and associated documents.**

**Contact Officer: Rebecca Leggott (Senior Planning Officer)**

**Appendices: None**