

<b>Item No.</b> 7.4	<b>Classification:</b> Open	<b>Date:</b> 5 April 2016	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 15/AP/5021 for: Advertisement consent  <b>Address:</b> 88 DULWICH VILLAGE, LONDON SE21 7AQ  <b>Proposal:</b> Display of signage: x1 externally illuminated aluminium projecting sign, with ironmongery to match traditional style; x1 `Sainsbury's Local fascia sign with overhead spot lighting; and x1 vinyl offer panel displaying open times; 1x externally illuminated aluminium projecting sign, 1x Sainsburys local fascia sign, 1x Vinyl offer panel.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Head of Planning		
<b>Application Start Date</b> 16/12/2015		<b>Application Expiry Date</b> 10/02/2016	
<b>Earliest Decision Date</b> 16/01/2016			

## RECOMMENDATION

1. Grant planning permission subject to conditions

## BACKGROUND INFORMATION

2. The application is reported to planning sub-committee following a referral request by members.

### Site location and description

3. The application site relates a two storey building consisting of retail use at ground floor level and residential accommodation at first floor level. The retail unit at ground floor level forms part of the shop frontages in this parade fronting Dulwich Village highway.
4. The application site is not listed but lies within the setting of the adjoining listed buildings at no. 86 and 84; as well as being situated within the Dulwich Village conservation area.

### Details of proposal

5. Advertisement consent is sought for the display of signage: x1 externally illuminated aluminium projecting sign, with ironmongery to match traditional style; x1 `Sainsbury's Local fascia sign with overhead spot lighting; and x1 vinyl offer panel displaying open times; 1x externally illuminated aluminium projecting sign, 1x Sainsburys local fascia sign, 1x Vinyl offer panel.
6. Officers raised concerns about the level of illumination of the proposed signaged following which the applicant as well as the design of the Sainsbury's logo. The

applicant then changed the illumination from trough to spot lights and the lettering on the Sainsbury's logo was changed to a 15mm projection on the fascia board.

## 7. **Planning history**

Planning application (15-AP-5020) is sought for the alteration to shopfront

### **Planning history of adjoining sites**

8. 88/90 Dulwich Village Listed Building Consent (98-AP-1755) granted for the demolition and replacement of defective garden wall between 88/90 and nos. 94, 96/98

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

9. The main issues to be considered in respect of this application are:
  - a) The impact of the signage on the amenity of the area
  - b) The impact of the signage on public safety

### **Planning policy**

#### National Planning Policy Framework (NPPF)

11. The National planning policy framework (NPPF) was published in March 2012 and establishes the Government's strategy for delivering sustainable development. It is a material consideration in the determination of planning applications.
12. Section 7 of the NPPF sets out a range of guidance relating to good design. In particular, with regard to advertising, paragraph 67 states:

*"Poorly placed adverts can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and orientation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."*

13. Section 12 of the NPPF sets out a range of guidance relating to good design. In particular, conserving and enhancing the historic environment in paragraph 134 states;

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use"*

#### London Plan July 2015 consolidated with alterations since 2011

14. Policy 7.4 - Local Character  
Policy 7.6 - Architecture
15. Core Strategy 2011  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

#### Southwark Plan 2007 (July) - saved policies

16. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

3.2 - Protection of amenity

3.16 - Conservation areas

3.18 - Setting of listed buildings, conservation areas and world heritage sites

3.23 - Outdoor advertisements and signage

5.2 - Transport impacts

#### **Principle of development**

17. It is recognised that appropriate signage is essential to the economy and to retail use in particular. Saved policy 3.23 Outdoor advertisements and signage states that advertisement consent will be permitted for new signs provided they:

i) Do not harm amenity or compromise safety, including security; and

ii) Do not obscure highway sightlines and allow the free movement along the public highway by all its users, including people with disabilities especially the visually impaired: and

iii) Are designed (including size, type and any illumination) to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area; and

iv) Do not cause light pollution

#### **Summary of consultation responses**

18. For clarity, all responses received for this application are summarised here. 15 representations were received; 12 were individual representation against the scheme, x1 was a 12 petition signed by six people against and x2 individual representations were in favour of the proposal

Objections received:

19. We object to the proposed size of the logo (300mm aluminium lettering with a nominal 10mm projection). This would extend over two-thirds of the window width, which is more extensive than that seen now with the Shepherds logo.

20. Hanging sign should be non intrusive as demonstrated by the Pizza Express and if approved should be non-illuminated.

21. No mention of the any advertisement to the rear (no signage is proposed to the rear)

22. The signage as proposed is not appropriate to a conservation area. The size of the sign and the lighting should be consistent with standards elsewhere along retail frontages in Dulwich Village. The sign should be much smaller and should not be illuminated.

23. This is a conservation area ' the stores should LOOK as if they have been there for a LONG time. A sign with a 'Sainsbury's colour. although apparently 'toned down' is still far too strident for this area.
24. This application threatens the appearance that contributes significantly to the unique feel of Dulwich It is not sympathetic to the needs of this conservation area.
25. Southwark to reject both a hanging and illuminated sign. Dulwich Village has a unique feel and aspect both in daylight and at night-time, and the design and lighting of the row of shops contribute significantly to this.
26. I have signed a group letter with other local residents objecting to the detail of this application as so there is no need for a Sainsbury's Local sign in such large letters, nor for the corporate orange or for illuminated signage.
27. Window advertisement – no additional or large window paper or vinyl advert particular in orange colour
28. Not representative of stakeholders input - The Dulwich Estate, within the confines of its role as landlord and lessor, has passed the proposed application. However, the Dulwich Estate is just one stakeholder

Two letters of support

29. I fully support the proposals from Sainsbury's. I believe this shop is much needed in Dulwich Village which is starved of convenient competitive services for the local community. The proposals are sympathetic, well thought through and will brighten up a rather dreary corner of the village.
30. I fully support the application.

#### **Design and conservation comments**

31. Further to amendments providing timber projecting signage, spotlights, improved fascia signage and fenestration alterations to introduce more symmetry, there is no longer any objection from a heritage perspective.

#### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

32. The Town and Country Planning (Control of Advertisements) Regulations (2007) enables amenity and public safety to be considered in determining applications for advertisement consent. Paragraph 67 of the NPPF also provides guidance and states that 'poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'.
33. In terms of local policy, strategic policy 12 of the Core Strategy is relevant, and saved policy of the Southwark Plan sets out the Council's criteria for determining applications for determining applications for advertisement consent.

34. The proposed development is not considered to impact amenity in terms of loss of daylight/sunlight, loss of privacy, overlooking or creation of a sense of enclosure, nor does the proposal represent a significant impact on the host building in terms of dominance, a distraction for highway users and the impact on the settings of the Grade II listed buildings either side of the application site.
35. The size of the signs, material, location and height proposed is considered not to have a negative impact upon the visual amenity of the host, the surrounding area and does have regard to the setting of the Grade II listed buildings in close proximity to the application site. The signs have been designed sensitively and are not of a visually dominant nature on the host, nor will the proposed signs contribute to the proliferation of signage in the area which mostly has a negative visual impact on the streetscene.
36. It is therefore considered that the proposal complies to policy 3.23 'Outdoor advertisements and signage' which states that signage should be designed to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area.

#### **Impact(s) on public safety**

37. The proposed advertisement is considered not to generate a significant negative impact on the performance and safety of the surrounding highway network. Although the proposed advertisement display will be fronting onto Dulwich Village highway, there are no moving components or flashing lights, nor would its location cause a distraction to road users or detrimental to highway safety.
38. It is not considered that the proposed signages would be a hazard to pedestrians flow given the proposed height of approximately 3 metres clearance from ground level, or public safety in general.

#### **Impact on character and setting of a listed building and/or conservation area**

39. Policy 3.18 Setting of listed buildings, conservation area and world heritage sites states that: Permission will not be granted for developments that would not preserve or enhance:
  - i. The immediate or wider setting of a listed building;
40. Furthermore Policy 3.23 Outdoors Advertisement and Signage states that: Outdoor advertisements and signage (including all hoardings and shroud hoardings) will be permitted provided they:
  - i. Do not harm amenity or compromise safety, including security; and
  - ii. Do not obscure highway sightlines
  - iii. Are designed to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area.
41. The size of the sign, material, location and height proposed, do relate sensitively to the nearby/adjoining Grade II listed buildings, and would thus preserve or enhance its character or appearance.
42. As such the proposal complies to policies 3.18 Setting of listed buildings, conservation area and world heritage sites and 3.23 Outdoor advertisements and signage, clauses iii) which states that signage should be designed, including size, type and any illumination, to be appropriate within the context of the site and to be an integral and unobtrusive part of the character and appearance of the site and surrounding area) and NPPF Section 7, Requiring good design

### **Other matters**

43. None identified.

### **Conclusion on planning issues**

44. The signs proposed are recommended for approval. Their size, material, location would relate sensitively to the nearby/adjoining a Grade II listed buildings. The proposal would not result in substantial injury to amenity of the surrounding area, the character and appearance of the conservation area, nor impact on the historic character and setting of the Grade II listed buildings.
45. As such, the proposal complies with policies 3.15 Conservation and Historic Environment, 3.18 Setting of listed buildings, conservation area and world heritage sites and 3.23 Outdoor advertisements and signage, of the Southwark Plan July 2007 and NPPF 2012 section 7 requiring good design

### **Community impact statement**

46. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the “protected characteristics”, as set out in the Equality Act 2010, the council's community impact statement and Southwark council’s approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.
47. In assessing this application, the council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.

### **Consultations**

48. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

49. Details of consultation responses received are set out in Appendix 2.

### **Human rights implications**

50. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
51. This application has the legitimate aim of providing advertisement. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/ADV/2292-88  Application file: 15/AP/5021  Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5458 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendations

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Anthony Roberts, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	16 March 2016	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		18 March 2016

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 18/12/2015

**Press notice date:** 24/12/2015

**Case officer site visit date:** 18/12/2015

**Neighbour consultation letters sent:** n/a

#### **Internal services consulted:**

n/a

#### **Statutory and non-statutory organisations consulted:**

n/a

#### **Neighbour and local groups consulted:**

14 Woodwarde Road London SE22 8UJ  
100 Woodwarde Road London SE2 8UT  
23 Woodwarde Rd Dulwich SE22 8UN  
136 Turney Road Dulwich SE217JJ  
80 Woodwarde Road Dulwich SE22 8UT  
111 Court Lane London SE21 7EE  
75 Woodwarde Road SE22 8UL

12 Court Lane Gardens London SE21 7DZ  
103 Court Lane Dulwich SE21 7EE  
109 Turney Road Dulwich SE21 7JB  
126 Woodwarde Road London SE22 8UT  
58 Dovercourt Road London SE22 8ST  
55 Calton Avenue London SE21 7DF  
9 Court Lane Gardens London SE21 7DZ  
71 Woodwarde Rd London SE22 8UN

**Re-consultation:** 01/03/2016

## APPENDIX 2

### Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

100 Woodwarde Road London SE2 8UT  
103 Court Lane Dulwich SE21 7EE  
109 Turney Road Dulwich SE21 7JB  
111 Court Lane London SE21 7EE  
12 Court Lane Gardens London SE21 7DZ  
126 Woodwarde Road London SE22 8UT  
136 Turney Road Dulwich SE217JJ  
14 Woodwarde Road London SE22 8UJ  
55 Calton Avenue London SE21 7DF  
58 Dovercourt Road London SE22 8ST  
71 Woodwarde Rd London SE22 8UN  
71 Woodwarde Rd London SE22 8UN  
75 Woodwarde Road SE22 8UL  
80 Woodwarde Road Dulwich SE22 8UT  
9 Court Lane Gardens London SE21 7DZ