

Report to	<b>Planning Committee</b>
Date	<b>10 August 2017</b>
By	<b>Director of Planning</b>
Local Authority	<b>SDNPA</b>
Application Number	<b>SDNP/17/03355/ADV</b>
Applicant	<b>South Downs National Park Authority</b>
Application	<b>Display a non-illuminated sign</b>
Address	<b>South Downs Centre, North Street, Midhurst, GU29 9DH</b>

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**Recommendation:**

- 1) That advertisement consent be granted for application SDNP/17/03355/ADV, subject to the conditions, set out in Paragraph 9.1 of this report.**
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**Executive Summary**

Advertisement consent is required to display a non-illuminated sign at the South Downs Centre (to replace the existing sign). As outlined in the Town and Country Planning (Control of Advertisement) Regulations 2007 (Advertisement Regulations), a Local Planning Authority is able to control advertisements, in respect of their impact on 'amenity' and 'public safety'.

It is considered that the proposed sign is well-designed, would not have a detrimental impact on visual amenity, would have a positive impact on rising awareness of the South Downs Centre and 'sense of place', would continue to preserve the character and appearance of the surrounding Conservation Area and would not cause harm to the setting of the Listed Buildings. In addition, it is considered that it would not have a detrimental impact on public safety. Therefore, the application is recommended for approval.

The application is placed before Committee due to the applicant being the South Downs National Park Authority.

**1. Site Description**

- 1.1 The application site is located on the western side of North Street, which comprises the South Downs Centre. Lamberts Lane is sited immediately to the north of the application site and to the east on the opposite side of the road is the bus depot.
- 1.2 The application site is located within the Midhurst Conservation Area and immediately adjacent to two Grade II Listed Buildings (Capron House and the Memorial Hall).

**2. Proposal**

- 2.1 The application is for advertisement consent to display a free-standing, non-illuminated sign outside the South Downs Centre.
- 2.2 The sign forms part of the South Downs National Park Authority's (SDNPA) wider package of branding and identity, which includes a number of boundary markers that were granted consent at the 15 June 2017 Planning Committee.

- 2.3 The design of the sign has been chosen using the ‘design principles’ agreed by National Park Authority (NPA) at their 29 November 2016 meeting and again is consistent with the aforementioned boundary markers. The principles were:
- to have the SDNPA shared identity at its core – all signage to be based around the shared identity and/or the shared identity to provide the unifying feature to connect any different styles of signs.
  - to fit with the landscape – a signage language or hierarchy to be created with a suite of options depending on the location.
  - where possible, to use local materials and craftspeople.
  - to have a clear and accessible design – safeguarding against weather etc to ensure signs are always legible and a positive reflection on the National Park and the SDNPA.
  - to be cost effective and maintainable. Maintenance plans for ongoing upkeep of the signage to be developed in conjunction with the relevant Highway Authority.
- 2.4 The advertisement application as submitted seeks consent to display a free-standing, non-illuminated sign immediately behind the wall to the vehicular access of the South Downs Centre and Memorial Hall (to the right of the main pedestrian approach to the South Downs Centre). The proposed sign would replace the existing ‘temporary’ sign.
- 2.5 The proposed sign would have a maximum height of approximately 1.85m above ground level (the level of the ground/flowerbed behind the wall) and would measure 2m wide.
- 2.6 The design of the sign is consistent with the previously approved boundary markers. The sign will be broadly rectangular in shape and contains simple white lettering identifying the South Downs Centre and the South Downs National Park. The feature on the top of the sign reflects the image of the SDNPA shared identity. The design of the shared identity element would be in the form of fretwork reflecting the rolling Downs or waves of the sea, which would enable glimpses through to the Memorial Hall.
- 2.7 The proposed material would be a ‘hybrid’, the main body of the sign would be clad in wood with the shared identity fretwork made of metal (corten).

### 3. Relevant Planning History

- 3.1 Advertisement consent was granted on 15 July 2016 (ref: SDNP/16/01420/ADV) for two non-illuminated signs. One ‘directional sign’ (1.75m high by 1.1m wide) to be positioned to the south of the existing vehicle entrance into the main car park of the South Downs Centre, and one ‘main sign’ (4m high) to be positioned on the southern side of the main pedestrian approach into the South Downs Centre (on the line of the existing chain boundary fence). This consent has not been implemented and it is the SDNPA’s intention not to implement it.

### 4. Consultations

- 4.1 **Local Highway Authority** – West Sussex County Council (WSCC) have referred to their ‘standing advice’, which has been summarised under paragraph 7.11 of this report.
- 4.2 **Conservation Officer** - The sign, if fully freestanding, will not require Listed Building Consent. However, it will have some impact on the setting of Capron House, or more specifically its later-Victorian northern wing, and the original schoolroom of the early C19, now widely known as the Memorial Hall. The site lies within Character Area 5 of the Midhurst Conservation Area. The new sign would replace an existing improvised sign of distinctly ‘home-made’ appearance and construction.

While the overall height of the new feature will be similar to that of the existing sign, it will be significantly larger. However, the timber face and the open, corten steel waves above should prove fairly muted in colour tones, texture and appearance, arguably more recessive in overall effect than the white background of the current sign.

The only concern here is whether the increased size of the sign might have an adverse effect on the Conservation Area and the setting of the Listed Buildings by obscuring a current view of the Memorial Hall seen from North Street. There would be a slight impact on this view

from a fairly narrow receptor corridor - a matter of a few metres - along the pavement and carriageway of North Street. This is a modest impact and would not constitute harm.

- 4.3 **Midhurst Town Council** – Object to the application. The sign is inappropriate by way of size, design and proposed sighting and is deemed ineffective. The Town Council recommends that SDNPA refer to last year's planning application - SDNP/16/01420/ADV - for a proposed way forward.

- 4.4 **Landscape and Biodiversity Lead (Woodland)** – If the installation works for the sign are carried out in accordance with the following, then any impact to the existing tree will be minimal:

- any digging should be done by hand;
- any small roots (less than 2.5cm) which would have grown around the posts of the existing sign, should be carefully pruned with secateurs;
- further mitigation can be used by reducing the area in which digging takes place to less than 20% of the circumference of the tree root zone;
- suggests minimising the amount of soil compaction around the tree as far as possible and maybe adding a layer of woodchip mulch around the tree afterwards, and
- ensure that if 'postcrete' is used it should be suitable for use close to tree roots.

## 5. Representations

- 5.1 One letter of objection has been received. The reasons for the objection include:

- supports the previously approved scheme for signage at the South Downs Centre (ref: SDNP/16/01420/ADV), which included the Authority spending a significant amount of time and money in getting consent for that scheme;
- the location of the new proposed sign would be of little benefit due to its location, distance from and orientation to the highway (and in addition, the previous scheme also included a sign in this location but it was removed prior to approval due to these reasons);
- the Planning Committee need to look at both schemes together to fully assess whether the new sign adds any value to what was previously approved, and
- the new sign would require two large concrete blocks to be buried in the ground, within the root protection zone of the existing Cherry Tree. The tree should not be put at risk for the sake of a sign that is not needed within the current permission and a sign which will at best have a questionable benefit to the Authority, visitors and the community.

**Planning Officer Comment:** Members attention is drawn to the SDNPA's intention not to implement the previous consent ref: SDNP/16/01420/ADV.

## 6. Planning Policy Context

### National Park Purposes

- 6.1 The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well-being of the local community in pursuit of these purposes.

### Relevant Government Planning Policy and Guidance

- 6.2 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 (DEFRA Circular) and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The DEFRA Circular and NPPF confirm that National Parks have the highest status of

protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

#### National Planning Policy Framework (NPPF)

6.3 The following National Planning Policy Framework sections have been considered in the assessment of this application:

- NPPF Section 7 - Requiring good design
- NPPF Section 11 - Conserving and enhancing the natural environment
- NPPF Section 12 - Conserving and enhancing the historic environment

6.4 In addition, it is considered that the following paragraphs of the NPPF are relevant to the determination of this application: Paragraphs 67- 68, 115 and 131-138.

#### Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

6.5 Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 are also relevant.

6.6 Section 66 relates to consideration of applications which affect a listed building or its setting, it states the local planning authority 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'.

6.7 Section 72 relates to the consideration of applications within a Conservation Area, it states that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area'.

#### The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

6.8 The display of advertisements is subject to a separate consent process within the planning system. Regulation 3 of the above mentioned Regulations requires that local planning authorities control the display of advertisements in the interests of amenity and public safety only, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

6.9 In addition, Schedule 2 of the Regulations stipulate that all advertisements are subject to 'standard conditions' as defined in the schedule. If a local planning authority decides to impose additional conditions, these must be supported by specific and relevant planning reasons.

#### Statutory Development Plans

6.10 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan (and relevant policies) for this application is the **Chichester Local Plan 1999**. The relevant development plan policies listed below have been assessed and are considered to be compliant with the NPPF:

- BE6 – Conservation Areas
- BE9 - Advertisements

6.11 The site is also located within the Chichester District Area of Special Advert Control.

#### South Downs Partnership Management Plan

6.12 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a vision and long term outcomes for the National Park, as well as 5 year policies and a continually updated Delivery Framework. The SDPMP is a material consideration and has some weight pending adoption of the SDNP Local Plan.

6.13 The following Policies are of particular relevance to this case:

- General Policy 1 – conserve and enhance the natural beauty and special qualities of the landscape
- General Policy 9 – the significance of the historic environment is protected from harm
- General Policy 31 – raise awareness and understanding about the National Park
- General Policy 42 – develop a consistent and co-ordinated approach to the promotion and marketing of the South Downs National Park

6.14 The outcomes of the SDPMP are also a material consideration. Relevant outcomes include 1, 4, 6 and 8.

#### South Downs Local Plan: Pre-Submission

6.15 The South Downs Local Plan – Pre-Submission was approved for consultation by the National Park Authority on 11th July 2017 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The next stage in the plan preparation will be the formal publication of the ‘Pre-Submission’ version (the consultation period will formally start in September 2017) and then submission of the Local Plan for independent examination. Until this time, the South Downs Local Plan – Pre-Submission is a modest material consideration in the assessment of this application in accordance with paragraph 196 of the NPPF, which confirms that weight can be given to policies in emerging plans following publication. Based on the stage of preparation of the policies within the South Downs Local Plan – Pre-Submission, they are currently afforded limited weight and are not relied upon in the consideration of this application.

## **7. Planning Assessment**

7.1 The main issues for consideration with regard to this advertisement consent application are:

- the principle of the proposal;
- the impact on the amenity of the area, and
- the impact on public safety.

#### Principle

7.2 The site falls within an ‘area of special advertisement control’, the controls do not prohibit the display of an advertisement, the purpose of the designation is to provide additional restrictions and special protection on grounds of amenity. To ensure that in terms of size, colouring and layout adverts do not detract from the appearance of the surroundings and wider landscape and/or heritage character.

7.3 Therefore, there is no objection to the principle of the advertisement proposed. The issue of the detailed design and its impact on amenity and public safety are addressed in the following paragraphs.

#### Amenity

7.4 It is considered that the overall design of the sign is clean and simple and uses the SDNPA shared identity in a visually interesting way and is consistent with the wider boundary markers (previously granted consent) proposed across the National Park.

7.5 The proposed sign is larger in size and scale than the existing sign it would be replacing. It is acknowledged that there is a need for a sign to the South Downs Centre and such a sign needs to be visible to the public. Due to its proposed sensitive siting, materials and being non-illuminated, it is considered that the proposed sign would not be an overly prominent feature in the landscape/townscape.

7.6 As highlighted by the comments from the Conservation Officer, due to its size the proposed sign could be seen to have an adverse effect on the setting of a Listed Building and the wider Conservation Area due to it obscuring a current view of the Memorial Hall from North Street. However, it is considered that such an impact is very modest as the view of the Memorial Hall is only obscured from a narrow viewing corridor along the pavement and carriageway of North Street. In addition, the open fretwork at the top of the sign does allow for glimpses through to the Memorial Hall behind.

- 7.7 Furthermore, due to the proposed materials and its muted colours it is considered that the design would be visually sympathetic to its setting and would blend with, and not be a stark contrast to, the surrounding area. Therefore, it is considered that the proposed sign would not cause harm to the setting of the Listed Buildings and would not have a detrimental impact upon the character and appearance of the surrounding Conservation Area.
- 7.8 The proposed sign would not add to any existing street or visual clutter, being a replacement to an existing sign. Therefore, it is considered that the sign would not detract from the visual amenity of the area.
- 7.9 In addition, due to the modest size of the proposed footings for the sign and the root protection area of the tree already being compromised/off set by the existing raised flowerbed and boundary wall, it is considered that the installation of the sign would not have a detrimental impact on the health of the existing tree. The applicant has also confirmed that the installation of the sign will be via a 'hand dig' method and will ensure any contractor complies with the other measures as recommended by SDNPA's Landscape and Biodiversity Lead (Woodland) Officer and that any work is carried out in accordance with BS 5837:2012 – Trees in relation to design, demolition and construction.
- 7.10 Overall, it is considered that the proposed sign would not have any significant detrimental impacts on the visual amenity or the historical appearance and character of the area and any potential detrimental impacts are outweighed by providing greater awareness of the South Downs Centre and helping to create a 'sense of place'. Therefore, the proposed sign would be in accordance with the policies in the NPPF, and the Chichester District Local Plan 1999.

#### Public Safety

- 7.11 An assessment of the highway safety implications has been undertaken in accordance with WSCC's standing advice as set below:
- the proposed sign would be clear of the public highway;
  - the sign is non-illuminated, and
  - being clear of the footpath and carriageway it is not considered that the sign would be an obstruction of visibility splays or a distraction to motorists.
- 7.12 In light of the above, it is concluded that the proposed sign would not create a danger or hazard to public safety.

### **8. Conclusion**

- 8.1 In summary, the proposed sign is considered to be well designed, would respect and not detract from the visual amenity or the historical character of the area, would not cause harm to the setting of the Listed Buildings and would continue to preserve the character and appearance of the surrounding Conservation Area. In addition, it would not have an adverse effect on the safety or function of the highway network. As such, the advertisement is considered to be in accordance with the policies in the NPPF and the Chichester District Local Plan 1999.

### **9. Reason for Recommendation and Conditions**

- 9.1 It is recommended that advertisement consents be granted subject to the following conditions.

#### Conditions:

1. This consent shall expire at the end of the period of five years from the date of this Notice.

Reason: To comply with Regulation 14 (7) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The advertisement hereby permitted shall be carried out in accordance with plans referred to as Block Plan, Additional Plans and WSCC9/14.

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

3. This consent shall be carried out in accordance with BS538:2012 trees in relation to design, demolition and construction.  
Reason: To safeguard the existing tree which is an integral part of the landscape character of the area.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person within an interest in the site entitled to grant permission.  
Reason: To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
4. No advertisement shall be sited or displayed so as to-
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
 Reason: To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.  
Reason: To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.  
Reason: To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
7. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.  
Reason: To comply with Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

## **10. Crime and Disorder Implications**

- 10.1 It is considered that the proposal does not raise any crime and disorder implications.

## **11. Human Rights Implications**

- 11.1 These applications have been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

## **12. Equality Act 2010**

- 12.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

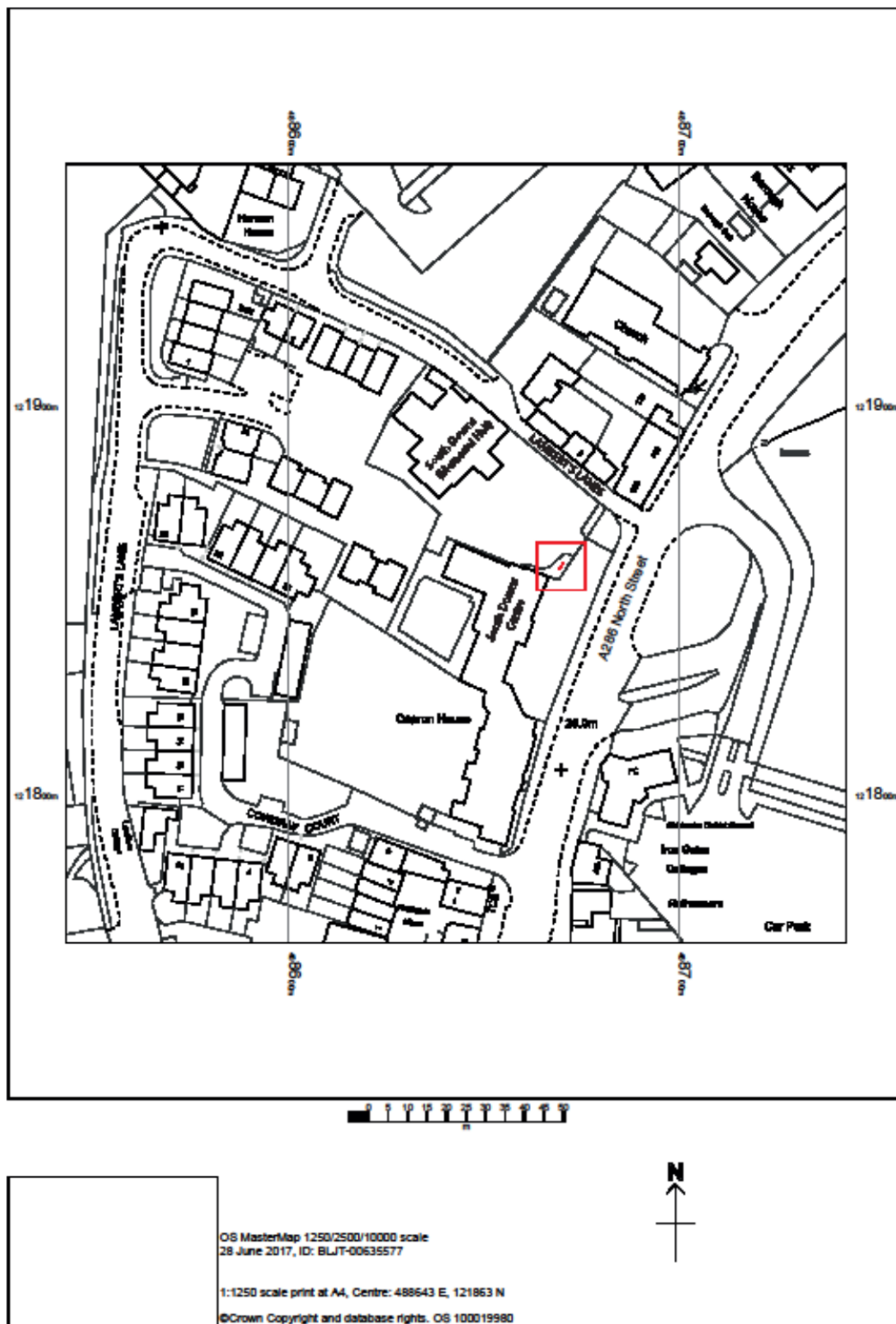
## **13. Proactive Working**

- 13.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice to ensure the submission of additional information to overcome any technical issues and the opportunity to amend the proposal as identified by SDNPA Officers.

**TIM SLANEY**  
**DIRECTOR OF PLANNING**  
**South Downs National Park Authority**

Contact Officer: Kelly Porter  
Tel: 01730 819314  
email: [kelly.porter@southdowns.gov.uk](mailto:kelly.porter@southdowns.gov.uk)  
Appendices I. Site Location Map  
SDNPA Consultees Legal Services & Development Manger  
Background Documents [All application plans, supporting documents, consultation and third party responses for SDNP/17/03355/ADV](#)  
[Chichester Local Plan 1999](#)  
[National Planning Policy Framework 2012](#)  
[South Downs National Park Partnership Management Plan 2014-2019](#)





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