

# Development Management Delegated Decision Report

B/21/0281



## SUMMARY OF APPLICATION

Application Reference	B/21/0281		
Application Type	Advertisement Consent		
Proposal	Advertisement Consent for 2no. internally illuminated fascia signs and 1no. internally illuminated projecting sign		
Location	5 6 Market Place, Boston, PE21 6EH		
Applicant	Mr Alexander Winstone, Poundland Limited		
Agent	Mr Tahinur Chowdhury, HLP UK Ltd		
Received Date:	09-Aug-2021	Consultation Expiry Date:	09-Sep-2021
Valid Date:	10-Aug-2021	Statutory Expiry Date:	05-Oct-2021
Date of Site Visit:	18-Aug-2021	Extension of Time Date:	N/R
Objections received?	No		
5 day notification record: N/A			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	REFUSE Advertisement Consent		
Report by:	Emma Dennis		
Date:	28/09/2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located within the Boston Conservation area. The building itself is not listed, however, it is in close proximity to several listed buildings including St. Botolph's Church (Grade I), the statue of Herbert Ingram and the three stone piers adjacent (Grade II) and Nos 41 – 57 inclusive, 58 and 60 Market Place.

The main entrance to the application site is via the Market Place elevation, there is also a side entrance to the building via Petticoat Lane which is a pedestrian only access road located north of the building. Many of the buildings which front onto the Market Place display advertisements.

### DETAILS OF PROPOSAL:

This proposal seeks advertisement consent to install new illuminated fascia signs to the front and side of the building which will replace the existing signage. The signage consists as follows:

- Aluminium fascia sign measuring 0.97m(h) by 20m(w) by 0.1m(depth). It will be internally illuminated and in the standard corporate colours. This will be attached to the front elevation of the building which fronts the Market Place.



- Aluminium fascia sign measuring 0.74m(h) by 12.2m(w) by 0.1m(depth). It will be internally illuminated and in the standard company colours. This is to be attached to the side elevation of the building, which fronts Petticoat Lane.
- Aluminium projecting sign measuring 0.6m(h) by 0.6m(w) by 0.1m(depth). It will be internally illuminated and is proposed to be attached to the front elevation of the building which fronts the Market Place.

### **RELEVANT HISTORY:**

B/02/0108 Construction of a three storey building comprising ground floor shop and 1st and second floor flats.

**Refused** – 28/04/2003.

B/02/0201 Erection of 2 internally illuminated fascia board signs.

**Granted** – 11/06/2002.

B/02/0383 One externally illuminated sign and two non-illuminated sign.

**Granted** – 16/09/2002.

B/02/0402 Retrospective application for internally illuminated projecting sign.

**Granted** – 19/09/2002.

B/07/0709 New shop fronts, entrance lobby, external stairwell, and formation of external lift shaft, formation of openings to switch room and fire exits, rooftop toilet extension and installation of new rooftop plant equipment.

**Granted** – 28/01/2008.

B/07/0711 External shop signs (some illuminated).

**Granted** – 28/01/2008.

B/11/0017 Replace existing internally illuminated fascia sign with new current branded sign (internally illuminated individual letters only). Replacement projecting sign. New non-illuminated high level sign above service entrance. Replacement fascia sign above side entrance.

**Granted** – 10/03/2011.

B/12/0320 Siting of 1no. Refrigerated storage container within the rear service area between 1st November and 31st January annually.

**Granted** – 06/12/2012.

B/16/0096 Application for Advertisement Consent to include;

- New illuminated main shop sign
- New illuminated bus stop sign
- Remove existing sign and re-paint fascia
- Replacement car collect signs.

**Granted** – 26/05/2016.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being within Boston's Settlement Boundary, within the Conservation area, and within the Town Centre Boundary. The Policies of relevance to this proposal are:

- Policy 2 – Development Management;
- Policy 3 – Design of New Development; and
- Policy 29 - The Historic Environment.

## **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

### **National Planning Policy Framework (2021)**

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 12: Achieving well-designed places;
- Section 16: Conserving and enhancing the historic environment.

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

The proposal should be assessed against Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Advertisements should be subject to control only in the interests of amenity and public safety, these being the two fundamental control practice criteria embedded in the Regulations.

### **Boston Town Centre Conservation Area Management Plan 2017-2020 National Planning Practice Guidance (PPG)**

## **CONSULTATION RESPONSES:**

### **Conservation Advisor – received 13 September 2021**

- The property in question is a large positive historic building located within Boston Town Centre and sits within a Conservation area. The property is also within the setting of a number of highly graded listed building. As such any proposals need to preserve or enhance the setting of the listed buildings and the character of the Conservation area. As a large and predominant building within Boston's Market Place, the property, and the return elevation, are both very sensitive to change. It should also be noted the property is located within the £1.8m National Lottery Heritage Funded Boston Townscape Heritage Project. This initiative is designed to improve the character of the area. As a grant eligible property there is little excuse for accepting sub-standard signage on the building
- The proposals display a gradual erosion of standards in an area where there is active attempts to improve the character of the area through the Boston Townscape Heritage Project. As of 2009 Boston Town Centre Conservation area was added to Historic England's Heritage at Risk Register. One of the reasons was concerns relating to the condition of the public realm specifically relating to visual street signage and shop frontage 'clutter' and modern visual intrusion.
- The property already has a clear fascia panel area which somewhat dictates the sign and location of any signage. The dimensions of the signage are appropriate in relation to the setting of the listed building however the proposed materials, colours and finishes of the signage are very generic and fail to consider the special interest of the historic environment.
- Overall, it is felt that the proposal for advertisement consent cannot be supported, as the current application will negatively impact the overall setting and historic character of the listed buildings and Conservation area. The fascia panel design, the proposed method of

illumination, generic projecting signs and vinyl's will have a negative effect of the property and the wider conservation area. The proposals will dominate a structure and the market place, negatively affecting the designated heritage assets. That, together with the fact that this property is within the Boston Townscape Heritage Area means the application needs a significant reconsideration and revision before it can be deemed acceptable.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

One representation has been received and raises the following:

- It is felt that the generic sign is wholly inappropriate for this significant building in a prominent location and within the conservation area, with numerous listed building nearby.
- It seems that no thought has gone into the application in terms of the visual impact of the signs on the building and the historic townscape. The sign being split into two (Poundland/Pep&Co) is in contrast to the unified frontage of the building.
- The window vinyls also dominate the view and are too prominent.
- The heritage statement submitted with the application is very brief and does not provide sufficient detail about the building and its surroundings.

### **EVALUATION:**

The key considerations in regard to this application are effects on public safety and effects upon amenity.

#### **Public safety**

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identify that factors relevant to public safety include the safety of people using the highway and whether the display of the advertisement is likely to: obscure or hinder the ready interpretation of any traffic sign; or hinder the operation of any security or surveillance device, or device for measuring the speed of vehicles.

Traffic speeds are limited within the Market Place. The building occupies a corner location which is set back from the road coupled with the marked parking areas and an area sectioned off for outdoor dining and pedestrians, it is not considered that the proposed signs would distract the attention of highway users or obscure the interpretation of traffic signs.

In all, therefore, it is considered that the proposed advertisements will not compromise public safety.

#### **Amenity**

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identify that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

It is therefore considered that these proposed signs would represent a damaging effect of the special interest of the surrounding listed buildings' settings and the character of the conservation area where there are active attempts to improve the area through the Boston Townscape Heritage Project.

The fascia panel – The proposed use of an internally illuminated panel will dominate the positive character of the historic building. The dominance will not only adversely affect the host building, but the wider conservation area and negatively affect the setting of a number of listed building. This generic approach is not appropriate for such a sensitive location. The building is also one continuous design, the proposal to divide the fascia fails to consider the entirety of the property. It would visually be at odds with the vertical emphasis of the first and second floor. Any proposals should be consider the whole of the property and protect the balance of the façade.

Projecting signs – They are similarly generic in design and approach and totally fail to consider the building and the historic area.

Overall it is considered that the signs that are the subject of this application are inappropriate and would have a detrimental impact on the overall setting and historic character of the surrounding listed buildings and conservation area. The cumulative impact would provide a negative and defensive elevation to this building which is in a prominent position on Boston Market Place, highly visible from the surrounding area. The materials and strident colour of these proposed signs coupled with the illumination of the fascia sign clearly detracts from the special interest of the listed building and conservation area.

## **CONCLUSION:**

The Town and Country Planning (Control of Advertisement) (England) Regulations 2007 are exercisable only in the interests of amenity and public safety. The building is located in a part of the town centre where shop fronts and advertisements are common. However, whilst the signage does not have safety implications due to theirdamaging effect to the neighbouring listed building and on the wider conservation area it has adverse consequences for the amenity of the area.

## **RECOMMENDATION:**

REFUSE Advertisement Consent for the following reason:-

<b>CONDITIONS / REASONS</b>			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
<p>The proposed advertisement fascia signs and projecting sign will dominate the positive character of the historic building and this generic approach is not appropriate for such a sensitive location. The failure to consider the buildings continuous design, by proposing to divide the fascia fails to appreciate the entirety of the property and be to the detriment of the wider area. The design, the proposed method of illumination, generic projecting signs over dominate and provide a negative elevation to the building which is considered to have a negative impact upon Boston Market Place. Furthermore, it will negatively impact the overall setting and historic character of the Listed buildings and Conservation area, Boston Townscape Heritage Project Scheme area and the settings of the nearby highly graded listed buildings 3, 4 and 4a Petticoat Lane, 52, 53, 54, 57, 58 and 60 Market Place, Statue of Herbert Ingram and three stone piers adjacent and St. Botolph's Church. As such, the proposed advertisement signs would harm the amenity of the area and is contrary to Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2011-2036), The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, and the National Planning Policy Framework's provisions in respect of advertisements.</p>			

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<b>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</b>
<u>STATEMENT OF PROACTIVE WORKING:</u>  In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.