

Advertisement consent is sought for the installation of a fascia sign above the shop front and a projecting sign over the entrance door at nos. 23 - 25 Merrial Street.

The application site is located within the Town Centre of Newcastle and within the Town Centre Conservation Area, as indicated on the Local Development Framework Proposals Map.

The 8 week period for determination of the planning application expires on 1st January 2024.

RECOMMENDATION

PERMIT subject to standard advertisement conditions and the following additional condition:

- 1. Intensity of illumination shall not exceed 600 candelas per square metre**

Reason for Recommendations

Subject to the receipt of acceptable amended plans for sign 02, it is considered that the proposed signs would not result in any material harm to the character or appearance of the building within the Town Centre Conservation Area.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

Amended plans have been sought and subject to the receipt of appropriate revisions, the proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

Key Issues

The signage is proposed in association with the creation of a circus and arts workshop and exhibition area - the Phillip Astley Centre. The principle of the use of the unit as a workshop and exhibition space has been established by previous applications (refs. 23/00173/DEEM3 and 23/00539/DEEM3).

This proposal seeks advertisement consent for the installation of a fascia sign to the front of the unit comprising raised metal lettering illuminated from the rear, identifying the 'Phillip Astley Centre,' and a curved projecting sign with individual golf ball sized light bulbs to the top and the bottom of the text to illuminate the canopy.

The application site is located within the Town Centre Conservation Area, as indicated on the Local Development Framework Proposals Map.

The NPPF seeks to achieve sustainable forms of development through securing a high quality built environment and the provision of a good standard of amenity for all existing and future occupants of land and buildings. The NPPF states that poorly placed adverts can have a negative impact on the appearance of the built environment. Only adverts which have an appreciable impact on the buildings and surroundings should be subject to detailed assessment. The NPPF confirms that proposals should be subject to control only in the interests of amenity, public safety and should take into account cumulative impacts.

On this basis, the main issues to consider are the impact of the proposal on the character and appearance of the Conservation Area and any issues of public safety.

Design and impact on the character and appearance of the Conservation Area

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Saved policies B9, B10 and B13 of the Local Plan outline the requirement to preserve or enhance the character and appearance of a Conservation Area through careful consideration of appropriate design. Policy B20 specifically relates to illuminated signs in Conservation Areas, requiring individually lit or projecting letters on the background panel and that light intensity should not exceed 300 candelas per square metre.

The principle of signage on the building is acceptable. Sign 01 is considered to be proportionate in scale and appropriately designed and positioned in the context of the application property, adjoining buildings and immediate surroundings of the locality.

Further to comments from the Council's Urban Design & Conservation Officer, amendments to the design of Sign 02 have been sought, in particular to the form of illumination. The agent is intending to amend the design to reduce the projection of the sign and embed the lighting within the sign. Once these amendments are received, a supplementary report will be provided in this regard.

Subject to the receipt of appropriate amendments, it is considered that the siting and design of the advertisements would safeguard the character and appearance of the Conservation Area and that the development would comply with the relevant policies of the Core Spatial Strategy, the Local Plan and the NPPF.

Public Safety

The proposed illuminated signage is considered acceptable in highway terms and should not result in highway safety issues. There are no details on the application regarding the illuminance level. For an illuminated sign measuring up to 10sqm, the illumination level can be a maximum of 600 candelas, (or 300 candelas if the area illuminated is over 10sqm). A condition can be added in relation to the level of illumination for the signage.

Fogg Street is an adopted highway, therefore the Highway Authority advises that an oversailing licence is required in relation to the proposed projecting sign.

Therefore, the Highway Authority has no objections to the proposed signs, subject to appropriate conditions and informative. Subject to the imposition of the condition, the level of illumination is considered acceptable, and the proposal would not result in an adverse impact on public safety or highway safety.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

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When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

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APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP4: Newcastle Town Centre Area
Policy CSP1: Design Quality
Policy CSP2: Historic Environment

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy B9: Prevention of Harm to Conservation Areas
Policy B10: The Requirement to Preserve or Enhancement the Character or Appearance of a Conservation Area
Policy B13: Design and Development in Conservation Areas
Policy B20: Illuminated Fascia and other Signs in Conservation Areas

Other Material Considerations include:

[National Planning Policy Framework \(NPPF\) \(2023\)](#)

[Planning Practice Guidance \(NPPG\) \(2018\)](#)

[Supplementary Planning Documents \(SPDs\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

Relevant Planning History

23/00539/DEEM3 Change of use to Circus and Arts Workshop and Heritage Exhibition Area with associated external ground floor alterations – Permitted

23/00173/DEEM3 Change of use to Circus and Arts Workshop and Heritage Exhibition Area with associated external ground floor alterations – Permitted

20/00851/DEEM3 Change the use of the existing offices to create an additional temporary supported accommodation unit with emergency access for the winter period (November 2020 - March 2021) for up to 6 individuals - Permitted

04/00454/DEEM3 Temporary change of use from retail (A1) use to use for office (B1) purposes associated with civic offices opposite - Permitted

93/00307/ADV Double sided projecting sign slip bins information plaque and illuminated panel - Permitted

90/01190/ADV Illuminated projecting box sign - Permitted

Views of Consultees

The Council's **Urban Design and Conservation Officer** has no objections to the frontage sign, providing the level of illumination is subtle, but raises concerns over the proposed golf ball light bulb style lighting on the projecting sign above the door which is considered to be inappropriate and garish.

The Highway Authority has no objection subject to a condition regarding the illuminance level.

No comments have been received from the **Environmental Health Division**.

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Representations

None received.

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

22nd November 2023

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