

SITE PLAN ATTACHED

25 BAYTREE CENTRE BRENTWOOD ESSEX CM14 4BX

**PROPOSED X1 NEW FASCIA SIGN AND X1 NEW PROJECTING SIGN
NON-ILLUMINATED.**

APPLICATION NO: 22/01122/ADV

WARD	Brentwood South	8/13 WEEK DATE	18 October 2022
PARISH		POLICIES	BE12, BE14, BE16, PC05
CASE OFFICER	Mr Daryl Cook	APPLICANT	Mr. Adrian Cooper
Drawing no(s) relevant to this decision:	101; 301;		

This application has been referred by Cllr Tim Barrett for the following reason(s):

My understanding was that planning decision on land owned by the council itself always goes to the Planning Committee. The Baytree Centre is now owned by the Council. Although this is a small application, I believe for consistency and transparency this should go to committee. Similar applications on the co-op shop site in Pilgrims Hatch which is on council owned land were decided by committee.

N.B. Paragraph 2.1 (b) of the Constitution (2022) requires “*All applications by or behalf of the Authority in accordance with provisions of The Town and Country Planning General Regulations*” to be considered by the Planning Committee.

1. Proposals

Advertisement consent is sought for Proposed x1 new fascia sign and x1 new projecting sign non-illuminated at 25 Baytree Centre, Brentwood.

Following a site visit, it is apparent that signage has been installed and thus the scheme is retrospective.

2. Policy Context

National Planning Policy Framework 2021 (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG)

Brentwood Town Centre Design Guide SPD (BTCDG)

Brentwood Local Plan (2016-2033) (BLP):

- Policy BE12 Mitigating the Transport Impacts of Development
- Policy BE14 Creating Successful Places
- Policy BE16 Conservation and Enhancement of Historic Environment
- Policy PC05 Brentwood Town Centre

The Brentwood Local Plan 2016-2033 was adopted as the Development Plan for the Borough on 23 March 2022. At the same time the Brentwood Replacement Local Plan, August 2005 (saved policies, August 2008) was revoked.

3. Relevant History

- 07/00033/ADV: Proposed Internally Illuminated Fascia Sign And Externally Illuminated Projecting Hanging Sign. - Application Permitted
- 21/01930/ADV: 1 x Internally illuminated fascia sign. - Application Refused

4. Neighbour Responses

Where applications are subject to public consultation those comments are summarised below. The full version of each neighbour response can be viewed on the Council's website via Public Access at the following link:

<http://publicaccess.brentwood.gov.uk/online-applications/>

This application has been advertised by way of neighbour notification letters. At the time of writing this report, no neighbour representation has been received for this application.

5. Consultation Responses

- **Historic Buildings And Conservation Officer-**

Limited details have been supplied with no heritage statement. However, no objections to a simple signage change which are non-illuminated.

- **Highway Authority-**

The information that was submitted in association with the application has been fully considered by the Highway Authority, therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority as it is not contrary to Development Management policies.

6. Summary of Issues

The main issues which require consideration as part of the determination of this application are:

- Impact of the proposal on amenity. Factors relevant to amenity include the characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest.
- Impact of the proposal on public safety.

Ownership Context

Following the referral request, it has been confirmed by the Councils Asset Team that the site (Baytree Centre) is owned by Brentwood Borough Council but is leased and managed by SAIL. The application form states that the permission of the owner or any other person entitled to give permission for the display of an advertisement has been obtained.

Clarification has been sought by both the applicant's agent regarding whether the notification has been served and obtained by SAIL in addition to clarification from a representative of SAIL whether notification was received, and consent granted.

At the time of writing this report, SAIL have confirmed that nothing had been communicated to them in advance of the applications submission. Notwithstanding, this is considered to be a civil matter between the two parties. Were permission granted, it would not grant access across third party land. Correspondence is ongoing to ensure that the applicant has the correct permission in place.

Procedural Matter

The applicant claims that the site address is "25 Baytree Centre" but this application is a resubmission of application 21/01538/ADV which related to "29 Baytree Centre". Whilst there appears to be a discrepancy in terms of the site addresses based upon Council mapping system and those relied upon by the Baytree Centre for store numbering, there is no discrepancy in terms of the site location plans (the same) and position of the red outline which demarcates the application sites of the two applications (the same). The

application has therefore been assessed on the submitted documents to date and determined on that basis.

Recent Planning History

Advertisement consent was previously refused (see 21/01538/ADV) on the following basis:

R1 *The proposed signage would result in incongruous, illuminated signage within a prominent location within the Town Centre. The signage would detract from the visual amenity of the surrounding area including heritage assets and result in less than substantial harm. The proposed signage is contrary to policies CP1, C14, C16, C18 and C21 of the Brentwood Replacement Local Plan and the aims and objectives of the Brentwood Town Centre Design Guide SPD; the National Planning Policy Framework; and the National Design Guide.*

This report will look to identify whether the reason for refusal has been overcome in the intervening period based on changes to local policies and whether any revisions have been made.

Site Context

The application site is located within the core of the Brentwood Town Centre, and thus within the geographic scope of the Town Centre Design Plan and Town Centre Design Guide which is an approved document that has material weight in the assessment of the application.

In addition, the site falls within the immediate setting of the Scheduled Ancient Monument of 'The Chapel of St Thomas a Becket' (List UID: [1017452](#)) and Grade II listed building '44, HIGH STREET' (List UID: [1025027](#)). The unit is located on the periphery of, but not within, the Brentwood Town Centre Conservation Area. The Conservation Area derives significance from the commercial uses and several assets of historic and architectural interest, some of which are listed.

Brentwood Town Centre is the most urban area within the borough but retains a small town character in what is a rural Green Belt borough and is not densely or highly urbanised in comparison to larger, surrounding town centres such as Chelmsford, Basildon or Thurrock. Local planning policies to date have largely prohibited the introduction of illuminated signs (particularly internally), shopfronts and adverts over the years to maintain the visual amenity and characterful nature of the Town Centre and surrounding area.

Amenity considerations

The NPPG indicates that visual and aural amenities need to be considered in applications for advertisement consent:

In terms of visual amenity, the NPPF states within paragraph 136 that poorly placed advertisements can have a negative impact upon the appearance of the built and natural environment and that 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 (LPA) detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

S66 (1) of the Planning and Listed Building and Conservation Areas Act 1990 makes it clear that LPAs should have special regard to the desirability of preserving the Listed Building and its setting or any features of special architectural or historic interests which it possesses. S72(1) of the same Act states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Paragraph 199 of the NPPF states that great weight should be given to conserving a designated heritage asset's significance.

Like the previous scheme:

- The front fascia sign has a 100mm power coated white 3mm p/c aluminium fascia panel with individual letters (50mm Opal 028) with acrylic letters with black vinyl to face and backed off with 5mm clear acrylic.
- The hanging sign has a 100mm width powder coated white 2mm aluminium outer lid, power coated white 2mm aluminium inner bracket, powder coated white 6mm mild steel support bracket with the logo 3mm black acrylic with 5mm white acrylic projector box.

However, neither are illuminated (internally or externally), per this submission as confirmed by the applicant's agent during the validation process. A condition to this effect would be recommended which is consistent with previous applications at this site (see condition 2 of 07/00033/ADV).

The Councils Historic Buildings and Conservation Officer has advised that they have no objections to simple and non-illuminated signage. Whilst concerns were previously raised regarding the materials used, planning records indicate that aluminium has been used as part of application 22/00837/ADV, a site opposite at No.3. On that basis, it is not considered that the use of such materials would be unacceptable here. They are not uncommon within the wider area. R1 above is considered to be overcome.

In terms of aural amenity, it is not considered there would be undue noise or disturbance arising from this proposed signage.

Public safety considerations

In terms of public safety, considerations include the safety of persons using any highway; whether the display of the advertisement in question is likely to obscure, or hinder the interpretation of any traffic sign; and whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

No material concerns are raised following consultation with the Highway Authority and on that basis, it is not considered there would be any adverse impacts to public safety.

Conclusion

The proposed development, for the reasoning outlined above, is considered to be compliant with policies BE12, BE14, BE16 and PC05 of the BLP and the aims and objectives of the BTCDG, the NPPF and the NDG. Therefore, the proposed development is recommended for approval.

7. Recommendation

The Application be APPROVED subject to the following conditions:-

1 This consent hereby granted shall be for a period of 5 years beginning from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2 The sign(s) shall not be displayed other than in accordance with the 'STANDARD CONDITIONS' which are imposed pursuant to 'Schedule 2' of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 or any regulations revoking/amended or re-enacting those regulations. The conditions are as follows:

(i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(ii) 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

(iii) 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.

(iv) 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.

(v) 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.

Reasons: These conditions are imposed as standard and for the avoidance of doubt.

3 DRA01A Development in accordance with drawings
The development hereby permitted shall not be carried out except in complete accordance with the approved documents listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

4 The fascia and projecting signs hereby granted consent shall not be illuminated whatsoever.

Reason: In the interests of amenity.

Informative(s)

1 INF01

Reason for approval: The proposal would accord with the relevant policies of the development plan as set out below.

2 INF04

The permitted development must be carried out in accordance with the approved drawings and specification. If you wish to amend your proposal you will need formal permission from the Council. The method of obtaining permission depends on the nature of the amendment and you are advised to refer to the Council's web site or take professional advice before making your application.

3 INF05

The following development plan policies contained in the Brentwood Local Plan 2016-2033 are relevant to this decision: BE12, BE14, BE16, PC05, National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

4 INF21

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

BACKGROUND DOCUMENTS

DECIDED: