

**Proposed development: Full Planning Application (Regulation 3) for New shop fronts and Advertisement Application for Fascia and hanging signs**

**Site Address:**  
**9-15 Town Hall Street**  
**Blackburn**  
**BB2 1AG**

**Applicant: Blackburn with Darwen Borough Council**

**Ward: Blackburn Central      Councillors: Zamir Khan, Samin Desai, Mahfooz Hussain**



## **1.0 SUMMARY OF RECOMMENDATIONS**

- 1.1 APPROVE, subject to the conditions recommended within Paragraphs 6.1 and 6.2 of this report.

## **2.0 KEY ISSUES/SUMMARY OF PLANNING BALANCE**

- 2.1 The applications are presented to the Planning and Highways Committee, in accordance with the Scheme of Delegation, as the applicants of the submission is Blackburn with Darwen Borough Council. The planning application has been submitted under Regulation 3 of the Town & Country Planning Regulations 1992.
- 2.2 The proposals involve replacement shop fronts to four commercial properties along Town Hall Street within Blackburn Town Centre. New fascia and hanging signs are also proposed to three of the units, with the other property as part of the shop front works opting to retain their existing signage.
- 2.3 In summary, assessment of the applications finds the proposed new shop fronts and new signage to be acceptable, with all material planning considerations and issues having been addressed throughout section 4 and 5 of this report.

## **3.0 RATIONALE**

### **3.1 Site and Surroundings**

- 3.1.1 The proposal site spans across four different premises located within two late Victorian - early C20, three-storey buildings, constructed from red brick and stone dressings, including, eaves cornice and band courses. The two properties are of differing styles. The ground floor consists of shop fronts, in differing styles, some more modern than others, with modern signage.
- 3.1.2 The separate stores for this application are the Care Network Hub (9 Town Hall Street), Pelle Menswear (11 Town Hall Street), Emporium menswear (13 Town Hall Street) and Mad Hatters Tea Room (15 Town hall Street).
- 3.1.3 The buildings are situated on the north side of Town Hall Street, between Northgate and King William Street, opposite the Blackburn with Darwen Central Library.
- 3.1.4 The sites are located to the north of Blackburn Town Centre and to the south of the A666 in a commercial area, containing a mostly attractive period and some modern properties. They also fall within the designated Northgate Conservation Area. Figure 1 illustrates an aerial view of the site and surroundings.

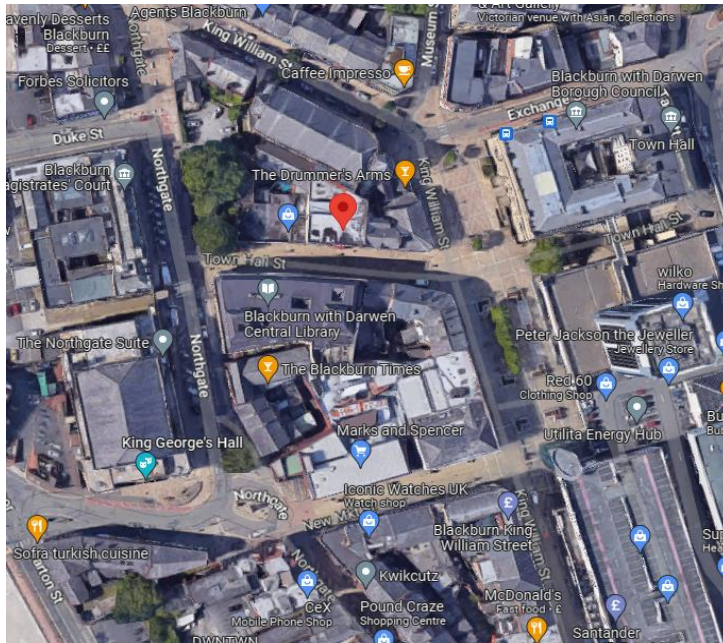


Figure 1: Google aerial view of the application site

### 3.2 Proposed Development

3.2.1 The proposals consist of two separate applications. Firstly, planning permission is sought to carry out works to 4No. shop facades at 9-15 Town Hall Street (ref. 10/23/0130). The second is for advertisement consent to install new signage at 11, 13, and 15 Town Hall Street (10/23/0131).

3.2.2 The shop front refurbishment works involve the installation of secondary glazing, and decoration to the front of the properties and to existing roller shutters, localised replacement of entrance tiling, replacement of entrance door, installation of a retractable awning and replacement of material to a retractable awning. All four properties will have a translucent anti slip coating applied to the ceramic entrance floor tiles as well as the installation of secondary glazing to all windows to match existing windowpanes in terms of size.

3.2.3 The below presents a description of the proposed works to be undertaken at each property;

- **9 Town Hall Street (Care Network Hub)** – The works involve decoration of pilasters and plinths, decoration of timber window frames, in white to match existing. One damaged windowpane will also be replaced. The appearance and signage will remain the same and unaltered.
- **11 Town Hall Street (Pelle Menswear), 13 THS (Emporium), 15 THS (Mad Hatters Tea Room)** – Will all have the existing façade signage lettering and Dibond back board removed and replaced with a timber

backboard painted in a heritage colour to match the newly decorated pilasters and plinths and fascia's. Any defective timbers will be repaired or replaced. New façade signage 3D lettering, gold in colour will be installed and the façade signage will not be illuminated. New flag (projecting) signage will also be provided and this will be similar in size to the existing flag signage to the Care Network Hub. The flag signage will be double sided and illuminated via a double trough light. At No.11 the retractable awning will be retained but a new awning material, with No.15 have a similar feature installed and replacement timber door. The existing façade lighting at No.13 will be removed and not re-instated.

3.2.4 The proposed front elevation of the properties together with the labelled work is shown below at figure 2. The appearance of the proposed fascia signs and positioning of the hanging signs are included at figure 3.

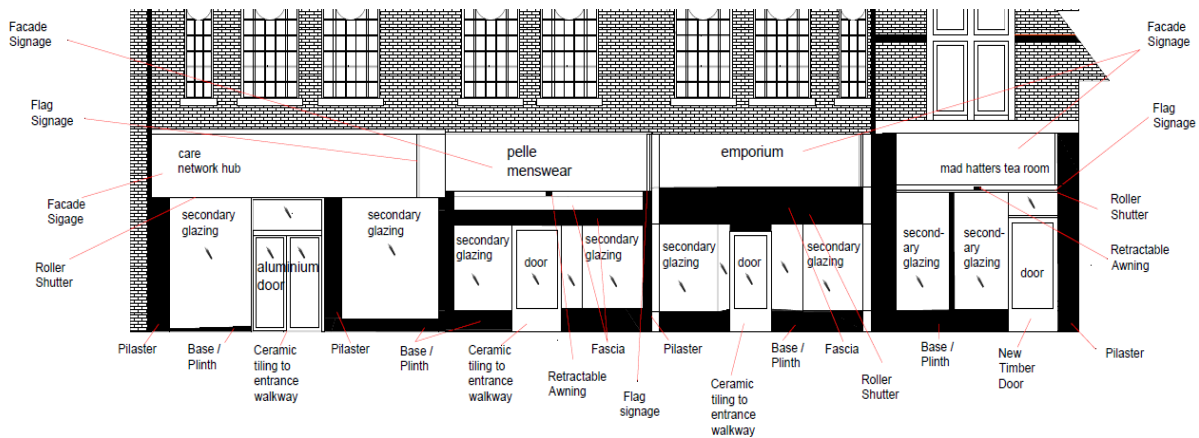


Figure 2: Proposed replacement shop front work details



Figure 3: Proposed fascia signs and positioning of hanging signs

### 3.3 Case Officer Photos



### 3.4 Development Plan

3.4.1 Section 38 (6) of the Planning and Compulsory Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise.

3.4.2 The 'Development Plan' comprises the adopted Core Strategy DPD (2011) and adopted Local Plan Part 2 – Site Allocations and the Development Management Policies (2015). The following policies are considered relevant in assessment of the proposals;

#### 3.4.3 Core Strategy

- Policy CS16 – Form and Design of New Development
- Policy CS17 – Built and Cultural Heritage

#### 3.4.4 Local Plan Part 2

- Policy 8 – Development and People
- Policy 11 – Design
- Policy 26 – Town Centres – A Framework for Development
- Policy 31 – Development in Defined Shopping Frontages
- Policy 39 – Heritage
- Policy 43 – Outdoor Advertisements

### 3.5 Other Material Planning Considerations

3.5.1 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, as Amended – Section 72(1)

#### 3.5.2 National Planning Policy Framework (NPPF)

- Section 12: "Achieving Well-Designed Places"

- Section 16: “Conserving and enhancing the historic environment”

### 3.5.3 National Planning Practice Guidance (NPPG)

### 3.5.4 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) - Part 1, Regulation 3

### 3.5.5 Northgate Conservation Area Character Appraisal

### 3.5.6 Northgate Conservation Area Development Guide

### 3.5.7 Supplementary Planning Guidance (Outdoor Advertisements & Signs)

## 4.0 **ASSESSMENT – Shop Fronts**

4.1 When assessing this application there are a number of important material considerations that need to be taken into account. They are as follows:

- Principle of Development
- Heritage Impacts / Design
- Amenity

### 4.2 Principle of Development

4.2.1 As the proposal relates to external alterations by way of creating new shop fronts and does not involve any change to the existing uses of the premises, the balance of uses within the shopping frontage is unaffected; and therefore no conflict with Policies 26 or 31 arises. Active frontages will be maintained and therefore the character and vitality of the town centre, streetscene and immediate area will be retained.

4.2.2 Accordingly, the principle of the development is accepted in accordance with the NPPF's presumption in favour of sustainable development, unless demonstrable adverse impacts which significantly outweigh the benefits of a proposal are identified. These are assessed in more detail below.

### 4.3 Heritage Impacts / Design

4.3.1 The first consideration in the assessment of this application is the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

4.3.2 Point v) of Policy 39 states in conservation areas, the wider setting and significance of the area and the extent to which the development will retain

and conserve open space, landscape elements, historic surfaces and other features that contribute positively to the significance of the conservation area.

4.3.3 Policies CS16 and 11 require all new development to present a good standard of design, demonstrating an understanding of and making a positive contribution to the local area, through measures including enhancing and reinforcing established character.

4.3.4 A Heritage Statement and Design & Access Statement are submitted in support of the application. The Council's Heritage and Conservation consultee has reviewed the submitted details and proposals, and provides the following comments:

#### **Impact to the Conservation Area**

The issues from a conservation perspective is whether the proposal will harm the character and appearance of the Northgate Conservation Area.

Located within the northern part of the Northgate CA, No.9 – 15 Town Hall Street are highlighted in the CA Appraisal as being notable and positive unlisted buildings that make an important contribution to the area's special character.

I do not object to the application of the translucent anti slip coating, which is to be applied to the ceramic entrance floor tiles. This will be unnoticeable to the eye and have no impact on the immediate surroundings. Nor do I object to the decoration of pilasters and plinths and decoration to timber window frames, in white to match at No.9 Town Hall Street.

Similarly, I do not object 'in principle' to the installation of secondary glazing to all windows, as they are to match existing windowpanes in terms of size. However, no details have been provided in relation to the secondary glazing, including frames and fixings, to ensure these are appropriate. I recommend that details are provided or secured via a suitably worded Condition. Likewise, this also applies to the proposed replacement entrance door at No.15.

The proposed installation of the new awning to No.15 Town Hall Street is satisfactory. Whilst not a common feature of the streetscene there is already an existing awning in place at No.11, which is to be repaired. The installation of such an awning will provide outdoor shading to clientele, when seated outdoors. However, no details have been submitted. I recommend that details are provided or secured via a suitably worded Condition.

As such, subject to securing further details or Conditions, it is my view that the proposal will be an improvement on the existing and will enhance the buildings special interest, and benefit the character and appearance of this part of the CA.

### **Impact to the contribution made by the setting to the significance of the nearby listed building**

Whilst there are several nearby listed buildings, on viewing the site, it is evident that the proposal site is only visually connected to the Grade II Listed Central Police Station and Court House. When looking west along Town Hall Street from the proposal site the view is terminated by Central Police Station and Court House and therefore, to some extent is an important one.

Nevertheless, the views where both the proposal site and listed building will be experienced in the same context are solely from the junction of King William Street, until passing the proposal site on Town Hall Street. Additionally, the proposal sites have existing modern signage, and as noted above, the proposed works and advertisements should be seen as a positive and welcome change that provides a positive impact to the area. As such, the proposal will cause no harm to the contribution by the setting to the nearby Grade II Listed buildings.

### **Conclusion / recommendation**

As I am required to do so, I have given the duty's imposed by s.66(1) and s.72(1) of the P(LBCA) Act 1990 considerable weight in my comments.

I consider the proposal would meet the statutory test 'to preserve' and would cause no harm to either the character or appearance of the Northgate Conservation Area, nor to the contribution made by the setting to the contribution made by the setting to the nearby listed buildings.

Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policies of the Local Plan.

- 4.3.5 The alterations to the shop front are considered to be sympathetic and overall will significantly improve the appearances of the host building. Details as per the above requests have been submitted during the course of the application process to demonstrate the secondary glazing frames which are deemed acceptable. The awning that will be installed to The Mad Hatters Tea Room is a recess awning i.e. the Weenor N 2000 with grey stripe material. The existing victorian awning that will be repaired to Pelle Menswear, arms of the awning painted in a grey colour with the new awning grey stripe or plain grey. These alterations are considered to appropriate from a visual perspective.
- 4.3.6 On that basis, the proposed shop front works will cause no harm to designated heritage assets nor visual amenity, which is entirely consistent with the aims and objectives of Policies CS16, 11 and 39 of the Development Plan.



#### 4.4 Amenity

- 4.4.1 Point i) of Policy 8 states development will be permitted where it can be demonstrated that 'it will, in isolation and in conjunction with other planned or committed development, contribute positively to the overall physical, social, environmental and economic character of the area in which the development is sited.
- 4.4.2 The proposal poses no threat to surrounding amenity and is considered to contribute positively to the physical and economic character of the area, thus complying with Policy 8.

#### 5.0 **ASSESSMENT – Signage**

5.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) at Part 1, Regulation 3 requires that local planning authorities control the display of advertisements in in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

#### 5.2 Amenity

- 5.2.1 Policy 43 of the Local Plan Part 2 (2015) signifies that the number of existing signs in an area is a factor that detracts the amenity of an area by way of cluttering or excessive advertising.
- 5.2.2 Although 'amenity' has no exhaustive definition in planning law, NPPG sets out that it includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.
- 5.2.3 The Council's Conservation Officer has given the following assessment in reference to the proposed signage and impact upon the Northgate CA.

Furthermore, the removal of the existing signs and the installation of timber fascia signs, with gold unlit lettering, is largely satisfactory. In my view, they are simple in their design and of an appropriate material (fascia's), size and colour, which are acceptable.

Nevertheless, I note that no material detail has been provided for the gold 3D lettering. The Outdoor Advertisements & Signs, Supplementary Planning Guidance states 'traditional materials such as painted timber, wrought iron and bronze will be more appropriate than acrylics and other types of plastics, especially within conservation areas'. However, this is a minor point and I acknowledge that the existing signage and that of other surrounding commercial units contain modern fascia signage that is out of context with the character with the CA. The advertisement proposal to install timber backboards in a

heritage colour with individual gold letters should be seen as a positive and welcome change that provides a positive impact to the area.

In regards to the projecting signs, no design or material details have been provided. However, according to the submitted drawings that are to be located in suitable position at fascia height. I note that the Outdoor Advertisements & Signs, Supplementary Planning Guidance states 'Hanging signs on metal brackets are preferable to projecting box signs. The underlying requirement is that the appearance and materials used, including that of the fixing bracket, should be in keeping with the character of the shopfront. Acceptable materials would be painted timber or metal with a moulded edging'. I recommend that details are provided or secured via a suitably worded Condition.

5.2.4 The new fascia signage as concluded in the above section are considered to be appropriate in terms of design and appearance. The proposed hanging signage will match the existing one at No.9 in terms of fixing, size and materials and will be double sided and have 2Nr trough lights. However, details at this stage regarding the end-designs, colours to be used etc. are not known. These are to be secured via condition prior to their installation. The size and positioning of the signs relate well to the host properties and do not represent incongruous additions nor create visual clutter.

### 5.3 Public Safety

5.3.1 Policy 43 requires that the proposal should not obscure visibility or distract the attention of users of the highway. Additionally, colours and illumination should not obscure or reduce the clarity of traffic signs. Any advert should also not hinder pedestrian movement.

5.3.2 The proposed fascia signs will not be illuminated, and therefore pose no concerns. The hanging signs will be lit to both sides with trough lights. Similar arrangements are present at No.9, and the minor scale of lighting to be used ensures no detrimental harm will arise. The proposed signage will also be fixed to the shop front, and will therefore not impede pedestrian movements

5.3.3 The proposed advertisements would be acceptable on public safety grounds, in line with the above requirement of Policy 43.

## 6.0 **RECOMMENDATIONS**

### 6.1 **New Shop Fronts (10/23/0130) - Approve subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.

REASON: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this permission, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings and supporting document:

- Drawing No. WDP 9-15THS 5688 003 – Location Plan;
- Drawing No. WDP 9-15THS 5688 003 – Proposed Elevations; and
- Design and Access Statement – Received 14<sup>th</sup> February 2023
- Drawing No. GSG 003-1003 – LO-A2 – Standard LO / Subframe;
- Drawing No. GSG 004-1003 – HS2-A0-LH – Horizontal Slider / Subframe;
- Drawing No. GSG 005-1009 – HU-R-HD-RF Through / Subframe; and
- Drawing No. GSG 003-1022 – HU-HD-DH- Double Glazed / Subframe – Received 4<sup>th</sup> April 2023

REASON: For the avoidance of doubt and to clarify, which plans are relevant to the permission.

3. The materials to be used on the external surfaces of the development as indicated on Proposed Elevations - Drawing No. WDP 9-15THS 5688 002 received on the 14<sup>th</sup> February 2023 shall be implemented as indicated unless otherwise agreed in writing by the Local planning Authority.

REASON: To ensure that the external appearance of the shop fronts is satisfactory in accordance with Policies 11 and 39 of the Blackburn with Darwen Borough Local Plan Part 2.

## 6.2 **Fascia and hanging signs (10/23/0131) – Express Consent Approve subject to the following conditions:**

1. 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.

REASON: Required to be imposed in pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. 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: Required to be imposed in pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. Any advertisement displayed, and any site used for the display of advertisements, maintained in a condition that does not impair the visual amenity of the site.

REASON: Required to be imposed in pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. 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: Required to be imposed in pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. 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: Required to be imposed in pursuant to Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings and supporting document:

- Drawing No. WDP 9-15THS 5688 003 – Location Plan;
- Drawing No. WDP 9-15THS 5688 003 – Proposed Elevations;
- Design and Access Statement – Received 14<sup>th</sup> February 2023; and
- Drawing No. 20230303 – Signs Overview - Received 7<sup>th</sup> March 2023

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

7. Prior to the installation of the hanging signs hereby approved, details confirming the exact designs and materials at each property shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in strict accordance with the approved details, unless otherwise agreed in writing.

REASON: To ensure a satisfactory form of development is achieved, in the interests of visual amenity, and to comply with the requirements of Policies 11 and 43 of the Blackburn with Darwen Borough Council Local Plan Part 2.

## **7.0 PLANNING HISTORY**

### **9 Town Hall Street**

- 10/12/0664 – Change of use to ground floor to independent Living Information Services. Approved, 31<sup>st</sup> August 2012.
- 10/00/0518 – Illuminated shop sign/projecting sign. Express Consent, 25<sup>th</sup> August 2000.
- 10/86/1367 – Illuminated dual sided projecting box sign. Express Consent, 22<sup>nd</sup> September 1986.
- 10/85/2095 – Illuminated projecting sign. Express Consent, 27<sup>th</sup> December 1985.
- 10/85/2082 – New shop front in existing opening. Approved, 27<sup>th</sup> December 1985.

### **11, 13 and 15 Town Hall Street**

No previous other planning applications at the above properties.

## **8.0 CONSULTATIONS**

### **8.1 Statutory Consultation**

### **8.2 Conservation Officer**

Support offered, as per the responses set out at paragraphs 4.3.4 and 5.2.2.

### **8.3 Public Consultation**

12 properties surrounding the application site received consultation letters on 23<sup>rd</sup> February 2023 in reference to the proposed shop fronts application (10/23/0130). In addition, given the sites location nearby listed buildings and within the Northgate CA a Site Notice for the full application was displayed on 1<sup>st</sup> March 2023 and a press notice published in the local newspaper on 22<sup>nd</sup> March 2023. In response to the public consultation, no comments or objections have been received. With regards to the advertisement application, it should be pointed out that there is no duty to publicly consult.

## **9.0 CONTACT OFFICER: Jamie Edwards, Planning Officer**

## **10.0 DATE PREPARED: 03 April 2023**