

## 7 JUNE 2022 PLANNING COMMITTEE

6c PLAN/2022/0265

WARD: KNA

**LOCATION:** 1 Creswell Corner, Anchor Hill, Knaphill, Woking, Surrey, GU21 2JD

**PROPOSAL:** Advertisement Consent for display of 1 externally illuminated fascia sign (retrospective).

**APPLICANT:** Mr Huseyin Dongel

**OFFICER:** Benjamin Bailey

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### **REASON FOR REFERRAL TO COMMITTEE**

The application has been referred to Planning Committee by Councillor Whitehand.

### **SUMMARY OF PROPOSED DEVELOPMENT**

Advertisement Consent for display of 1 externally illuminated fascia sign (retrospective).

Height: 0.59m (590mm)  
Width: 6.2m  
Height above ground level: 2.4m

Colours: Anthracite Gray, Red and White  
Lighting: x3 External Wall Lights (Novelda E27 Sign Light)

### **PLANNING STATUS**

- Urban Area
- Shopping Parade (Anchor Hill)

### **RECOMMENDATION**

**Grant** advertisement consent subject to recommended conditions.

### **SITE DESCRIPTION**

Ground floor commercial unit at the end of a parade of commercial units at ground floor level with residential accommodation at first floor level, and in places also at second floor level, above. No.1 Creswell Corner is located close to the corner of Anchor Hill and Barley Mow Lane and has a highly glazed, dark grey framed shopfront with a fascia sign above. No.1 Creswell Corner backs onto a terrace of four dwellings fronting Barley Mow Lane. Residential Devon House is located on the opposite side of Barley Mow Lane to the south-west. There are also dwellings located on the opposite side of Anchor Hill.

### **RELEVANT PLANNING HISTORY**

PLAN/2022/0264 - Change of use from Class E (Commercial, Business and Service) to hot food takeaway (Sui Generis) with a fan grille extractor opening to the rear. Elsewhere on this agenda

PLAN/2021/1325 - Certificate of Proposed Lawful Development for the installation of ESP extractor fan and flue internally in relation to the use of the premises for

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purposes falling within Use Class E(b) of Part A of Schedule 2 of The Town and Country Planning (Use Classes) Order 1987 (as amended) (i.e. for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises).

Pending consideration

*(Officer Note: PLAN/2021/1325 has essentially been superseded by the submission of the present planning application, hence it remains undetermined. The premises is also being used for hot food takeaway purposes (Sui Generis), as opposed to Use Class E(b) purposes)*

PLAN/2021/0542 - Change of use from commercial, business and service (Class E) to hot food takeaway (Sui Generis) with associated addition of rear extract flue.

Refused (26.11.2021) for the following reasons:

*01. It has not been demonstrated that the living conditions of the occupiers of nearby residential accommodation, including the flat directly above the premises which would remain unrelated to the proposed hot food takeaway use, would not be significantly and adversely affected by unacceptable levels of noise resulting from customer footfall, the external storage of waste and recyclable materials and traffic and associated car parking, particularly during later hours when there is likely to be a peak in hot food takeaway trading and background noise levels would be low. As such it has not been demonstrated that the proposal would avoid significant harm to the environment and general amenity, resulting from noise and general disturbance, contrary to Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and SPD Hot Food Takeaway (2014).*

*02. It has not been demonstrated that the proposal would not exacerbate existing on-street car parking problems/pressure and that it would not result in indiscriminate customer and servicing parking within the locality. As such it has not been demonstrated that the proposal would not result in harm to highway and pedestrian safety and to the living conditions of nearby residents, contrary to Policy CS18 of the Woking Core Strategy (2012), Policy DM16 of the Development Management Policies DPD (2016) and SPD Hot Food Takeaway (2014).*

PLAN/2021/0477 - Certificate of Proposed Lawful Development for use as Café/Restaurant (formerly Use Class A3 (revoked as of 1 Sept 2020) - now within Use Class E).

Certificate Issued (22.06.2021)

PLAN/2006/0434 - Change of use from A1 (retail) to A2 (care agency).

Permitted subject to conditions (19.05.2006)

83/0026 - Change of use of ground floor from fruiterers to the preparation and sale of Indian take-away food.

Permitted subject to conditions (01.03.1983)

3528 - The erection of five shops with flats over at Anchor Hill, the junction with Barley Mow Lane, Knaphill.

Permitted (04.07.1949)

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### CONSULTATIONS

**County Highway Authority (Surrey CC):** The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

### REPRESENTATIONS

x3 letters of objection have been received raising the following points:

- Is this a new application for a sign that is already erected and has 2 lights already affixed at both ends?  
*(Officer Note: This is a retrospective Advertisement Consent application for the display of 1 externally illuminated fascia sign)*
- The lights currently fixed to the sign were and are not proper fascia lights and can only be described as security lights, which penetrate through the curtains both upstairs and downstairs of Salcombe, Anchor Hill, which is opposite Woking Grill  
*(Officer Note: Amended plans have been submitted during the course of the application to change the type of wall lights)*
- Fully object to the illuminated sign as it will be out of character to the row of shops
- Wholeheartedly support local businesses, many of which I regularly use, however, it needs to be the right business and one that enhances our small community
- Woking Grill Takeaway is out of keeping with the rest of the local businesses  
*(Officer Note: This application relates only to the front fascia signage, not to the use of the premises which is to be considered under ref: )*
- Lights have been shining into the bedroom and lounge of Astra, Anchor Hill, which is opposite Woking Grill  
*(Officer Note: Amended plans have been submitted during the course of the application to change the type of wall lights)*

### RELEVANT PLANNING POLICIES

National Planning Policy Framework (NPPF) (2021)  
Section 12 - Achieving well-designed places

Woking Core Strategy (2012)  
CS21 - Design

Development Management Policies Development Plan Document (DM Policies DPD) (2016)  
DM18 - Advertising and signs

Supplementary Planning Documents (SPDs)  
Design (2015)

Other Material Considerations  
Planning Practice Guidance (PPG) (online resource)  
Surrey County Council Transportation Development Planning Good Practice Guide

**PLANNING ISSUES**

01. This application is for advertisement consent and as such, the only issues for consideration are the potential impacts upon: (i) amenity and (ii) public safety, taking into account (a) the provisions of the Development Plan, so far as they are material; and (b) any other relevant factors, in accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Impact upon amenity

02. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. The NPPF (2021) provides specific advertisement policy in paragraph 136, stating that the quality and character of places can suffer when advertisements are poorly sited and designed. Policy DM18 states that *“proposals for outdoor advertising will be considered having regard to its effect on the: (i) appearance of the building or on the visual amenity in the immediate neighbourhood where it is displayed; and (ii) safe use and operation of any form of traffic or transport on land (such as pedestrians), on or over water, or in the air”*. The shopfronts section of SPD Design (2015) states that *“Signage should have clear lettering that complements the overall shopfront appearance”*, and that *“Internally illuminated signs should be avoided”*.
03. The fascia sign replaces a sign of similar height and width which has since been removed. It matches the height of the fascia panel and has clear lettering that complements the overall, and contemporary, shopfront appearance, the anthracite Gray background complements the highly glazed, dark grey framed shopfront. The colour palette is restricted to three colours, with red and white used on the text.
04. The fascia sign would be externally illuminated by three wall lights, with the hoods of the lights facing downwards onto the sign. External illumination is preferable to internal illumination and the external illumination of the sign by way of three wall lights is visually acceptable in this context. Overall, the fascia sign would integrate acceptably into the wider Shopping Parade.
05. The external illumination of the fascia sign by way of three wall lights, with the hoods of the lights facing downwards onto the sign, would prevent any harmful light spill beyond the fascia sign, including to the first floor window which serves the flat above the premises and to properties on the opposite side of Anchor Hill. Condition 03 is recommended to secure that the fascia sign is only lit during the opening hours of the premises to which it relates. Overall, for the preceding reasoning, the impact of the proposed fascia sign upon amenity is acceptable.

Impact upon public safety

06. The Planning Practice Guidance (PPG) provides detailed guidance on the assessment of the possible effect on ‘public safety’. This covers the main types of advertisements which may cause danger to road users and the ways in which advertisements can affect the safety of railways, aircraft and aerodromes, waterways, docks and harbours and the prevention of crime. The

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PPG emphasises that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety.

07. The County Highway Authority (Surrey CC) raises no objection, and no highway requirements, in relation to the safety and operation of the adjoining public highway. The fascia signage has the minimum 2.4m headroom required, as per the Surrey County Council Transportation Development Planning Good Practice Guide, although it does not overhang the footway in any case, as such it would not affect pedestrian safety. The fascia sign would not affect the safety of any other modes of transport. Whilst the advertisement would be externally illuminated it would not have any moving, or apparently moving, imagery and therefore would not require close or special scrutiny. Overall, for the preceding reasoning, the impact of the proposed fascia sign upon public safety is acceptable.

### Local finance considerations

08. The application is for Advertisement Consent and therefore is not Community Infrastructure Levy (CIL) liable.

### Conclusion

09. In conclusion, for the preceding reasoning the impact of the advertisement upon amenity and public safety is acceptable, taking account of the provisions of the Development Plan (so far as they are material), including Policy CS21 of the Woking Core Strategy (2012), Policy DM18 of the Development Management Policies DPD (2016) and other material considerations, including SPD Design (2015), and Section 12 of the NPPF (2021), the PPG and the Surrey County Council Transportation Development Planning Good Practice Guide. It is therefore recommended that advertisement consent be granted subject to conditions.

### **BACKGROUND PAPERS**

Site visit photographs

x3 Letters of representation

Consultation response from Environmental Health (WBC)

Consultation response from County Highway Authority (SCC)

### **RECOMMENDATION**

**Grant** advertisement consent subject to the following conditions:

01. The advertisement permitted by this consent must only be displayed in accordance with the following approved plans numbered/titled:

Location plan (1:1250 scale) titled GU21 2JD, dated 22 Mar 2022 (rec'd by LPA 23.03.2022)

CC-2803-EPBP (Existing/Proposed Block Plan), dated 28-03-22 (rec'd by LPA 29.03.2022)

CC-2204-PEEPFPES (showing plans and elevations), dated 22/04/2022 (amended plan rec'd by LPA 25.04.2022)

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CC-2204-PEEPFE (Pre-Existing and Existing/Proposed Front Elevation), dated 22-04-22 (amended plan rec'd by LPA 25.04.2022)

Novelda E27 Sign Light Data Sheet (3pp) (rec'd by LPA 25.04.2022)

Novelda 9" Sign Light Installation Sheet GL SLB (1pp) (rec'd by LPA 25.04.2022)

Reason: In the interests of amenity and public safety and to accord with the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and Policy CS21 of the Woking Core Strategy (2012), Policy DM18 of the Development Management Policies Development Plan Document (DMP DPD) (2016), SPD Design (2015) and the provisions of the National Planning Policy Framework (NPPF).

02. The illumination of the advertisement hereby permitted must only be by external illumination and by fixed and constant light(s) and not by light(s) which are, or appear to be intermittent, moving, flashing or vibrating.

Reason: In the interests of amenity in accordance with the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and Policy CS21 of the Woking Core Strategy (2012), Policy DM18 of the Development Management Policies Development Plan Document (DMP DPD) (2016) and the provisions of the National Planning Policy Framework (NPPF).

03. The advertisement hereby permitted must only be illuminated during the opening hours of the premises to which it relates.

Reason: In the interests of amenity in accordance with the requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and Policy CS21 of the Woking Core Strategy (2012), Policy DM18 of the Development Management Policies Development Plan Document (DMP DPD) (2016) and the provisions of the National Planning Policy Framework (NPPF).

04. 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: To comply with Schedule 2 Regulation 2(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

05. 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.

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Reason: To comply with Schedule 2 Regulation 2(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

06. 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 Regulation 2(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

07. 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 Regulation 2(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

08. Where an advertisement is required 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 Regulation 2(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

### **Informatives**

01. The Council confirms that in assessing this application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2021.
02. The applicant is advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all conditions are being complied with in full. Inspections may be undertaken both during and after installation.
03. The applicant is reminded that the use of the premises as a hot food takeaway (Sui Generis) and the installation of a fan grille extractor opening to the rear is subject to a separate planning application under ref: PLAN/2022/0264. For the avoidance of any doubt this grant of Advertisement Consent does not grant planning permission for the use of the premises as a hot food takeaway (Sui Generis) and the fan grille extractor opening to the rear.