

Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Shop Front and Advertisement Design Guide: Consultation Responses and Adoption	
Report No:	CAB/FH/15/009	
Report to and dates:	Cabinet	17 February 2015
	Council	27 February 2015
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Purpose of report:	<p>To consider consultation responses and proposed modifications to the West Suffolk Shop Front and Advertisement Design Guide (WSSFDG) and to recommend to Cabinet that the Design Guide is recommended to Full Council for adoption as a Supplementary Planning Document.</p> <p>This report was also considered by the Local Plan Working Group on 28 January 2015, where it was recommended that the Guide be adopted as Supplementary Planning Document.</p>	
Recommendation:	The Cabinet is asked to recommend to full Council: (a) To note the content of this report. (b) Subject to the approval of full Council, the West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in Appendix A to Report CAB/FH/15/000 be adopted as a Supplementary Planning Document, subject to it being noted in the Glossary on page 28 in respect of the second item 'Building of Local Interest', reference to 'Birmingham'	

	<p>be deleted and 'the areas' inserted therefore; and</p> <p>(c) The Head of Planning and Growth be given delegated authority to edit/insert appropriate images as part of the final document publishing process.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>
<p><i>The decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i></p>	
<p>Consultation:</p>	<p>The Draft West Suffolk Shop Front and Advertisement Design Guide (WSSFDG) and accompanying Screening Statement underwent a public consultation from 24 November 2014 to 9 January 2015. The consultation was carried out in line with the adopted Joint Statement of Community Involvement. Copies of the documents were available on the Councils' website and could be inspected at the Councils' principal offices. Letters were sent to statutory consultees, parish councils, adjoining councils and relevant selected interest groups, individuals and bodies from the planning policy consultation database.</p>
<p>Alternative option(s):</p>	<p>i) Adopt WSSFDG with the amendments suggested in the report below. Implication: By choosing to adopt the WSSFDG the Council would place both local planning authorities in a strong position to deliver well designed shopfronts and advertisements across West Suffolk.</p> <p>ii) Not adopt the WSSFDG. Implication: The Councils position will be weakened when negotiating new shopfronts and advertisements through the development control process and any subsequent appeal.</p> <p>iii) Make significant further amendments which materially affect the content of the document. Implication: Any significant amendments would entail another round of consultation, with any responses considered by members before adoption. This would cause considerable delay as resources in planning policy will be focused on the main local plan</p>

		documents.	
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> Publishing Costs	
Are there any staffing implications? <i>If yes, please give details</i>		No <input checked="" type="checkbox"/>	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> Document will be placed on the Council's website.	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The WSSFDG SPD must be prepared in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. Once adopted the SPD will supplement the policies in the Development Management Policies Document.	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Failure to adopt the WSSFDG SPD could leave the councils with less control over shopfronts and advertisements.	Medium / High	Adopt WSSFDG as SPD.	Low
Ward(s) affected:		The WSSFDG affects all wards in West Suffolk.	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		i) West Suffolk Shop Front and Advertisement Design Guide (Consultation Draft October 2014) with tracked amendments (see below).	
Documents attached:		i) Appendix - West Suffolk Shop Front and Advertisement Design Guide (Consultation Draft October 2014) with tracked amendments.	

Key issues and reasons for recommendation(s)

1.1 Background

1.1.1 The West Suffolk Shop Front and Advertisement Design Guide (SFDG) has been drafted as a Supplementary Planning Document (SPD) to support the policies of each local planning authorities (LPA) Core Strategy and the Development Management Policies Local Plan Document which in themselves relate to all three priorities contained within the West Suffolk Strategic Plan, (2014-16).

1.1.2 This Supplementary Planning Document (SPD) will provide detailed guidance on the design of new and replacement shop fronts throughout West Suffolk. The guidance covers matters such as general design principles; materials and colour; signage and lighting; blinds and canopies; and security measures for retail and other commercial properties.

1.2 Consultation

1.2.1 Joint Cabinet Planning and each Councils respective Cabinet agreed a public consultation draft of the WSSFDDG SPD in October 2014.

1.2.2 The public consultation took place between 24 November 2014 and 9 January 2015. The consultation was carried out in line with the adopted Joint Statement of Community Involvement. Copies of the documents were available on the Councils' website and could be inspected at both Councils' principal offices. Letters were sent to statutory consultees, parish councils, adjoining councils and relevant selected interest groups, individuals and bodies.

1.2.3 Nine responses were received to the consultation. The comments have been summarised below in italics followed by a suggested Council response and amendment, if considered appropriate, for Members consideration. Full copies of the responses to the consultation can be obtained from the planning department on request.

- **Anglia Water, Natural England and Environment Agency**

i) No Comment.

Council Response – Noted.

- **Bury St Edmunds Society**

i) The Society generally welcomes this proposed Design Guide and especially like the specific examples of good and bad designs as well as the inclusion of Design Principles.

Council Response - Noted and welcomed.

ii) Para 8.0 - We query whether the section on lighting is too vague. To avoid confusion we suggest that Design Principle 3 specifically states that no illuminated signs will be permitted in the Bury St Edmunds Town Centre Conservation Area.

Council Response –The guidance in the SPD cannot go beyond the requirements of the relevant Local Plan Policies. These are referenced in Section 8, Design Principle 3. Policy DM17 of the Joint Development Management Policies Local Plan Document which deals with Conservation Areas states ‘...internally illuminated signs and externally lit signs will not normally be granted consent. Where it can be demonstrated that a premise relies principally on trading after dark externally illuminated signs sympathetic to the character of the building and the surrounding area may be permissible.’ No modifications have been proposed to this section of Policy DM17 to date.

iii) Para 8.9 - Hanging signs are often added to buildings without a fascia – so we suggest reference is made to cill levels of upper floor windows. We also suggest that over-riding justification should be required to erect a new hanging sign in Bury St Edmunds town centre.

Council Response – The term ‘fascia level’ in para 8.9 is intended to apply to buildings either with or without a shopfront. Well designed and located hanging signs add interest to the street scene and the restriction of only allowing one sign per building combined with the need for advertisement consent and/or listed building consent is considered sufficient to control inappropriate signage.

iv) Para 9.0 - We suggest reference be made to ‘A’ boards, banners, street tables/chairs and storage of display goods on the pavement. We understand these items to be under the control of the County Authority but all of them are currently causing very real concern in our town and so we consider should be referred to in the Design Guide.

Council Response – Noted. It is agreed that this is an issue that needs addressing and that planning, licencing, enforcement, economic development, town centre management, SCC, retailers and civic groups should all be involved. Rather than delay adoption of the shopfront SPD it is suggested this issue is advanced independently either as a separate SPD or as an appendix to be added at a later date to the WSSFDG.

- **English Heritage**

i) The document identifies the components of a traditional shop front and many of the common issues that arise when existing shops are refurbished and/or extended. The guidance will help ensure appropriate treatment of shop fronts and associated advertising in historic town centres and is therefore to be welcomed.

Council Response – Noted and welcomed.

ii) There are similarities between this draft document and the guidance recently adopted by Peterborough City Council including

a number of shared images, and it would be appropriate to acknowledge Peterborough and/or credit their images.

Council Response – Suggested Amendment: Amend the draft SPD to credit any of Peterborough City Councils images or source new images if low quality and reference their guidance in the bibliography.

iii) The caption to the photograph on page 23 might also note that the fascia has been crudely inserted below the original cornice, and that such unsympathetic insertions are not recommended or supported by the guide.

Council Response – Suggested Amendment: Amend the caption in the draft SPD or source a new image.

- **Haverhill Town Council**

i) Haverhill Town Council supports the principle of such a guide.

Council Response - Noted and welcomed.

ii) ...the document perhaps overly-focuses on conservation, rather than creating a successful shopping centre, which is more relevant to newer towns. The photography and drawings within the guide certainly appear dominated by Victorian shop fronts... a more balanced set of photographs showing what is acceptable from modern shopping areas would provide clarity for all of West Suffolk...

Council Response – Suggested Amendments: review photos to provide a more even balance between traditional and modern shopfronts.

Para 6.8 of the WSSFDG deals with modern shopfronts and encourages good modern designs in the right context. Add new text to the end of the second paragraph to read: 'A good modern design can be achieved by reinterpreting traditional shopfront features in a modern way to create a quality contemporary shopfront appropriate to both the street and the host building.'

Add new text after para 6.8 (and re number accordingly) entitled 'New Shops' to read:

'6.9 New shops and shopping centres give the opportunity to design a shop front as an integral part of the street and new building. High quality, inclusive and innovative designs which respond to the local context and raise the standard of design in the area are likely to be supported. Poorly designed new shops or centres that fail to take the opportunities available for improving the character and quality of an area and the way it functions are unlikely to gain permission. In new developments the shopfront should be a key element of a new buildings design. This

should normally include a main frame, which is a fascia supported by pillars and stallriser to anchor the shopfront to the ground. Each of these traditional features can be interpreted in a contemporary way as part of a modern design solution. The proportions of the frame should relate to the whole building in which it is placed and the adjacent buildings as it will contribute to the streets façade and rhythm. Attention to detail, a limited palette of materials and colours together with quiet, respectful and sympathetically proportioned advertising will normally help to create quality in a shopping street.'

- iii) *The design principles themselves are good, clear and are to be commended.*

Council Response – Noted and welcomed

- iv) *Security shutters make a good surface for graffiti which although hidden when the blind is retracted has a negative impact on the night-time streetscene. Some reference in 10.1 to a surety being lodged with the local authority to ensure shutters are cleaned by the owners may be worthwhile.*

Council Response – Graffiti on private property is the responsibility of the owner. The Council can provide graffiti removal services for a charge, and in the worst case scenario, if adversely affecting public amenity, use its powers to have it removed via a Section 215 notice.

- v) *How does the Council propose to review this document and update adoption of it?*

Council Response – The document can be reviewed as and when necessary. Any proposed amendments which materially affect the content of the SPD will be put out to consultation in line with the SCI.

- vi) *Will the Council get together with other local authorities to write to companies selling shop franchises warning them on a national scale that shop front design guides are to be enforced?*

Council Response – No. Bodies such as the Historic Towns Forum and English Heritage promote guidance on a national level. The level of enforcement is a matter for individual authorities to decide and the onus is on any applicant to ensure their proposed signage and / or shopfront complies with both national and local guidance.

- vii) *Will the Council undertake to enforce the guide where future transgressions are found?*

Council Response – The guide will be enforced where an enforceable breach has taken place and it is expedient to do so.

viii) *How will existing owners know whether their shop-front meets expectations? Will the Council commission town and parishes to carry out local reviews of shopping areas to advise what premises are considered to comply with the guide and which ones do not, for the benefit of existing owners considering change and giving the broadest possible steer to future applicants?*

Council Response – Although existing owners can use the WSSFDG to assess their shop front it cannot be enforced retrospectively if the existing frontage has consent. The guide will be used to inform design choices at the pre application/application stage when a change of shopfront or new shop is being proposed.

- **Our Bury St Edmunds BID**

i) *No specific comments - the proposal seems eminently sensible.*

Council Response - Noted and welcomed.

- **Suffolk County Council**

i) *...This document can make an important contribution to managing change on West Suffolk's High Streets, improving the quality of the built environment and the town centre retail 'offer'... The County Council has reviewed the document in relation to its service responsibilities and, in those respects, supports the document in its current form.*

Council Response - Noted and welcomed.

ii) *Illuminated signs may have an impact on the highway. In such cases, the County Council has luminance standards which would need to be applied. These are currently being updated. It may be appropriate for the SPD to refer to this matter as a consideration.*

Council Response – Suggested Amendment: Section 8 of the draft WSSFDG 'Signage and Lighting' be amended to reference the need to consult SCC regarding luminance standards.

iii) *The document could help to promote age-friendly environments. Suffolk has an increasing aging population and older people are more likely to be affected by physical and cognitive impairments. There are no hard and fast rules in relation to design for an ageing population, but if appropriate the following could be put in the SPD as encouragement, rather than requirements:*

- *Design for access should recognise the likelihood of an increasing number of older people.*
- *Colour and contrast can be used to assist people with visual impairments, for example in identifying doorsteps. Lighting is important, but glare can be problematic.*
- *Distinctive designs can support way finding when they remain consistent for significant periods of time.*

Council Response:

It is considered Para 6.16 adequately addresses this issue stating that the needs of all members of the public should be taken into account and referencing the relevant legislation. Given the relatively transient nature of many businesses / corporate images it is not thought appropriate to encourage distinctive shopfronts to assist way finding.

- **Suffolk Preservation Society**

i) *The SPS commend West Suffolk on this well produced and very useful document.*

Council Response - Noted and welcomed.

ii) *We note the various use of the terms: heritage assets, listed buildings, conservation areas and buildings of local interest. It may be clearer if a more consistent use of the generic term "heritage asset" was applied throughout the document when referring to instances when a tighter level of control would be applied.*

Council Response – Suggested Amendment It is considered the terms 'listed building' and 'conservation area' are more widely recognised than the term 'heritage asset' and should remain. However definitions of 'listed buildings' and 'buildings of local interest' will be added to the glossary to assist clarity.

iii) *The SPS would encourage a greater emphasis on high quality contemporary design in commercial uses, especially outside of sensitive areas. This might be achieved by including a separate section on contemporary shop front design.*

Council Response – See Suggested Amendment in response to Haverhill Town Council point ii) above.

1.3 Other Suggested Amendments:

1.3.1 A number of the lower quality photos in the draft SPD will be replaced with higher quality images illustrating the same point and further images added to fill any 'white space' created by amendments before publication of the adopted document.

1.3.2 Section 2 'Planning Policy Context' will be updated to take account of any changes made to the Joint Development Management Local Plan Document.

1.3.3 A "Tracked Changes" version of the Consultation Draft WSSFDG is attached with strikethrough used to indicate deletion and underlining used to indicate new text. This document has been amended in Microsoft word to save unnecessary design costs, however the final document will be reformatted and desktop published to give a consistent and higher quality layout.

1.4 Process

1.4.1 In terms of approval through the committee process, St Edmundsbury's Sustainable Development Working Party and Forest Heath's Local Plan Working Group both considered the Guide on 28 January 2015. The document will then progress to be considered by both Cabinet meetings on 10 February 2015 (SEBC) and on 17 February 2015 (FHDC). Subject to the outcome of these meetings, formal adoption of the Supplementary Planning Document will be proposed at both Council meetings on 24 February 2015 (SEBC) and on 27 February 2015 (FHDC). A statement of adoption will then be prepared and sent to any interested parties and the adopted West Suffolk Shop Front and Advertisement Design Guide published on the Councils' website and in hard copy. Once adopted, the Design Guide will be used as a material consideration when determining applications for new shopfronts and advertisements.