

**ITEM NO:**

**WARD:** Prestatyn East

**WARD MEMBER(S):** Cllr James Davies  
Cllr Julian Thompson Hill

**APPLICATION NO:** 43/2014/0906/ AD

**PROPOSAL:** Installation of 2 externally illuminated fascia signs and 1 no. externally illuminated projecting sign

**LOCATION:** 79 High Street Prestatyn

**APPLICANT:** M & EMS Ltd

**CONSTRAINTS:** Conservation Area

**PUBLICITY UNDERTAKEN:** Site Notice – No  
Press Notice – No  
Neighbour letters - Yes

**CONSULTATION RESPONSES:**

PRESTATYN TOWN COUNCIL

“Observation. The projecting sign should be refused due to adverse impact on conservation area.”

DENBIGHSHIRE COUNTY COUNCIL CONSULTEES

No objection following amendments from previous submission. Request clarification in relation to specific yellow to be used.

**RESPONSE TO PUBLICITY:** None

**EXPIRY DATE OF APPLICATION:** 23/09/2014

**PLANNING ASSESSMENT:**

**1. THE PROPOSAL:**

1.1 Summary of proposals

- 1.1.1 The proposal is for the erection of 2no. new externally illuminated fascia signs and 1no. new externally illuminated projecting sign at an existing food retailing premises.
- 1.1.2 The application is a re-submission following a previous refusal and dismissed appeal.
- 1.1.3 Materials proposed on the fascia signs are timber and aluminium lettering for the fascia sign and timber with vinyl graphics for the hanging sign.

1.2 Description of site and surroundings

- 1.2.1 The existing property is retail unit located within the town centre of Prestatyn.

1.3 Relevant planning constraints/considerations

- 1.3.1 The site is located within the Development Boundary and designated town centre as defined by the Local Development Plan and the Prestatyn Conservation Area.

1.4 Relevant planning history

- 1.4.1 A previous application for advert consent refused due to the impact on the amenity of the locality.

1.5 Developments/changes since the original submission

1.5.1 None

1.6 Other relevant background information

1.6.1 None

**2. DETAILS OF PLANNING HISTORY:**

2.1 43/2013/1321 - Display of 3 no. externally-illuminated fascia signs and 1 no. externally-illuminated projecting sign REFUSED under delegated powers 09/12/2013 and subsequently dismissed at appeal.

**3. RELEVANT POLICIES AND GUIDANCE:**

The main planning policies and guidance are considered to be:

3.1 Government Policy / Guidance / Legislation

Planning Policy Wales Edition 5 November 2012

The Town and Country Planning (Control of Advertisements) Regulations 1992 (advertisement regulations)

3.2 Supplementary Guidance

SPG 17 - Advertisements

**MAIN PLANNING CONSIDERATIONS:**

3.3 The main land use planning issues in relation to the application are considered to be:

3.3.1 Principle

3.3.2 Amenity of the Locality

3.3.3 Public Safety

3.4 In relation to the main planning considerations:

3.4.1 Principle

The advertisement regulations permit the display of advertisements, however powers of control are provided to Local Planning Authorities in order to ensure advertisements do not have unacceptable impacts. The proposal is therefore considered acceptable in principle subject to the assessment of impacts set out below. The advertisement regulations require that the assessment of issues are restricted to amenity of the locality and public safety. The Local Planning Authority can only refuse deemed consent against these criteria.

3.4.2 Amenity of the Locality

Under the advertisement regulations the Local Planning Authority may refuse to grant express consent in the interests of amenity. Particular regard should be given to features in the locality of historic, architectural, cultural or similar instance.

The Town Council have recommended that the proposed hanging sign should be refused. The Conservation Officer has raised no objection to the proposals subject to clarification of the specific shade of yellow to be used.

The comments of the Town Council are duly noted, however Officers do not consider that the proposed signage would have an unacceptable impact in relation to the amenity of the locality. In relation to the comments of the Conservation Officer it is considered that it would be reasonable to attach a condition to the permission requiring submission and agreement of the detail of the proposed yellow to be used.

3.4.3 Public Safety

Under the advertisement regulations the Local Planning Authority may refuse to grant express consent in the interest of public safety. Particular regard should be taken to the safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome and whether any display of advertisements is likely to obscure, or hinder

the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air.

Having regard to the location and design of the proposed signage it is not considered that the proposal would have an unacceptable impact in relation to obscuring key views or creating a distraction to the public.

**4. SUMMARY AND CONCLUSIONS:**

The proposals would not have an unacceptable impact on amenity or public safety and are therefore recommended for approval.

**RECOMMENDATION: APPROVE** - subject to the following conditions:-

1. Prior to the display of the advertisement hereby approved, details of the proposed yellow to be used shall be submitted to and approved in writing by the Local Planning Authority - in the interests of protecting the amenity of the locality

**NOTES TO APPLICANT:**

Please note express consent is granted under the Town and Country Planning (Control of Advertisements) Regulations 1992 (advertisement regulations) and the permission granted is subject to a time limit of 5 years from the date of the grant of this permission.

Please also note the standard conditions that apply

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
4. 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.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).