

Policy & Environment
Burnley Borough Council
1st Floor
19 Parker Lane
Burnley BB11 2BY

4 February 2019

Dear Sir/Madam,

**Burnley Borough Council – Shopfront and Advertisement Design SPD –
Draft February 2019**

These representations are submitted on behalf of the British Sign and Graphics Association (BSGA) in response to the above draft SPD.

The BSGA represents 65% of the sales of signage throughout the UK and monitors development plans throughout the country to ensure that emerging Local Plan Policies and Supplementary Guidance do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, Planning Practice Guidance (PPG) and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

We recognise that some of the guidance in this draft SPD has been taken directly from your adopted Local Plan. But this does not make it necessarily correct, lawful or in accord with National policy and practice guidance, as we hope to make clear below.

Firstly, **paragraph 4.6** is not strictly correct. Deemed advertisement consent is granted for a wide variety of both commercial, organisational and national flags. Very few will require express consent. Similarly, most canopies and awnings containing lettering are to be found at and below fascia level. As non-illuminated advertisements, they will therefore be within Class 5 in Schedule 3 to the Regulations; and again will not require express consent. In this respect, paragraph 10.10 of the draft SPD is more accurate. We suggest that paragraph 4.6 be re-drafted accordingly.

In **paragraphs 6.6 and 9.12**, there is an implied assumption that “corporate” designs “should” be adapted and modified to suit the character of the building and area, especially in conservation areas and on listed buildings. But this is not necessarily so. There are often shopfronts, buildings and locations where “corporate” styles can be displayed as proposed without any need for particular modification. Paragraph 8.43 expresses the point in a far more rational way, and we suggest that the wording in that paragraph be used in 6.6 and 9.12, i.e. “corporate” signage “may need to be” adjusted or modified (not “should”).

Paragraph 9.4. Why should signs not be on the sides of buildings? If the sign is appropriate to the site and surroundings, it matters not whether it is on a front, back or

side wall. Have you never seen the opening/closing credits to “Open All Hours”? Those side wall signs would probably be considered “historic” and preserved as valuable reminders even of a time not that long ago.

Paragraph 9.7. We understand and agree with the intention of this paragraph. These older types of bulky signs are no longer widely used (modern LEDs are smaller and do not produce the heat of neon strips and the box does not therefore need the thickness to accommodate the bulk of the striplights and fittings and to allow the heat to dissipate without creating a fire hazard). But we think that the second sentence would be better expressed as:

“Bulky projecting box-like fascia signs, or additional flat fascia panels, crudely attached over existing fascia boards will not be acceptable in Conservation Areas or on Listed Buildings; and are unlikely to be acceptable elsewhere.”

Paragraph 9.8. This paragraph is unclear. Does the word ‘glossy’ apply to vinyl, acrylic plastic and aluminium? And what about modern buildings and shopfronts within Conservation Areas and within Listed Buildings? We think the paragraph might be re-drafted as:

“Care should be taken with materials. Glossy modern materials (such as some plastics and aluminium with a gloss finish) may not be appropriate on older-style shopfronts and buildings, particularly in Conservation Areas and on Listed Buildings. But these materials may well be acceptable on modern shopfronts, provided they relate to, and integrate with, the other elements of the shopfront and building.”

Paragraph 9.10. The Regulations do not permit the Council to control the content of signs unless in the interests of amenity and public safety in each specific case – see Regulation 3(4). The content of a sign is, as it should be, at the businesses’ discretion. The paragraph might say:

“Lettering on fascia’s should be proportionate to the size of the fascia. Too much lettering, or overly large font sizes, can be dominant and spoil the appearance of the premises and surroundings.”

Paragraph 9.18. There is no justification for the statement that “projecting box signs are bulky and unattractive”. This is simply not true. As with box fascia signs, modern technology means that projecting signs (illuminated or not) are now often slimline. They can be wholly appropriate on a modern fascia and shopfront where an older-style hanging sign would look totally out of character. We suggest that this paragraph might be re-drafted as:

“Bulky projecting box signs will not be acceptable. Contemporary projecting signs should be restricted to modern shopfronts and buildings and used with discretion on Listed Buildings and in Conservation Areas. They should integrate with the other features of the shopfront. Where illuminated, the method of illumination should be chosen to reflect the character and context of the shopfront and/or building.”

Paragraph 9.21. There may well be good reason for the obscuring of glazing (security/internal layout) and this is a matter for the business' choice. All advertisements within buildings are either excepted from control or have deemed consent under the Regulations (including posters/vinyls etc) attached to the inside of glass. So these are not controllable by the Council anyway. We suggest that this paragraph be deleted entirely as it seeks to restrict personal choice where the law permits latitude.

Paragraph 9.23. There appears to be an idea within the Council that they have some sort of right or responsibility to decide whether illumination is "necessary" or "acceptable" in principle. This is not so. It is the Council's responsibility to consider any application on individual merit. This will include an assessment of the impact of any illumination proposed upon local amenity or public safety. Illumination cannot be refused simply because the Council consider it "unnecessary" in principle. This paragraph is contrary to the law and national planning practice (PPG ID 18b-026-20140306) and should be deleted.

Paragraphs 9.24 and 9.26. As above, "Where illumination is considered to be acceptable" should be deleted. This is not within the Council's powers to determine. We repeat (for at least the third time to your Council) that "halo" illumination is not "external"! The light source is contained within a built-up box (ie it is "internal"): it is simply that the light shines out from the back or sides of the box rather than through the front panel (see you own picture of "the forum" which you show with approval – the letters are "boxes"). And we repeat again - what is wrong with suitably designed and positioned internally illuminated box signs. They are commonly seen above modern shopfronts (where a "traditional" hand-painted wooden sign would look totally out of place). Modern signs are slimline, often recessed into the fascia or contained within the projection of pilasters/console brackets. There should be no presumption against such signs on some mistaken "principle". Commonly now, internally illuminated box signs are constructed with fret-cut panels or built-up letters, such that the light is seen only through the letters and logos. In this respect, they actually spread less light than externally illuminated signs where the light invariably illuminates beyond the advertisement itself. And what is wrong with individually-lit letters? Indeed, what is "the forum" but individually-lit letters! There is no justification for the total ban on such signs. We suggest that these two paragraphs be deleted and replaced with:

"Illumination of shopfront signs should be appropriate to the design and style of the shopfront and take account of the surroundings. External illumination may be through trough lighting or spotlights. These should be appropriately sized and directed to avoid light spillage. Bulky, fully internally illuminated box signs, crudely attached over existing fascias will not be acceptable. Other forms of internal illumination (e.g. halo or through individual built-up or fret-cut letters) may well be suitable on more modern shopfronts and in commercial areas."

We are aware that the SPD is for guidance on best practice; and that economic circumstances may dictate reality, as the guidance recognises. But we think that the more permissive the guidance, the more likely it is that it will be used (not least because

the more widely-used types of signs are necessarily cheaper). Small, incremental improvements must be more welcome than absolute disregard for a document which does not reflect reality.

Yours faithfully

Chris Thomas
for British Sign & Graphics Association