

To be Retained by ISA-UK



Consultation Period: None **To:**
Development Plan: Local Plan (Part 2) - Land Allocations and Detailed Policies - Adoption 18/7/19
District: Cheshire West and Chester
Relevant Policies: DM17
Or Narrative (refs): Paras 11.66 - 11.74

Background: This is the second part of the Local Plan which has now replaced all the Council's old policy documents.

We commented on the Preferred Approach version of this document in August 2016. As a result, the council made some changes which were acceptable; and some which were not. Consequently, we again objected to the draft Submission version of the plan. A public inquiry was held and the Inspector proposed changes to the submitted plan, which, in his view, made it acceptable.

Policy DM17 itself required all advertisements to respect the design of the building and surroundings by means of scale, colour, materials and illumination. Clutter is to be avoided. Illumination should be unobtrusive and discrete. This was wholly acceptable.

The supporting text was mainly unexceptional and routine. It had been amended to make clear that internally illuminated box signs were only unacceptable where they were bulky and/or poor quality. Illumination by "halo" or through downlighters was normally acceptable but (for some unknown reason) not through illumination. It also still contained suggestions that "moving" signs and messages (presumably digital) and intermittent illumination were automatically unacceptable. And the Council clearly did not understand the purpose or effect of Areas of Special Control.

The Inspector proposed to delete the whole policy. It would be replaced by one which emphasised amenity and public safety. Decisive considerations would be size, position, materials, colour scheme and illumination. The general characteristics of the locality and of the host building must be respected. Clutter is to be avoided. Remote, advance signs will generally be resisted unless they contribute to amenity or public safety.

The Inspector accepted our objections to some of the limitations on illumination. Internal illumination of individual letters (individually mounted, fret-cut or halo) is generally acceptable, as is downlighting (including trough). But the Inspector was fixated with hours of opening. His view was that signs should only be illuminated where the premises are expected to operate outside of daylight hours throughout the year; and then that the illumination should normally be restricted to opening hours.

The references to "moving" signs was corrected as we recommended, as were the inaccuracies with regard to Areas of Special Control.

We again objected to the Inspector's proposals on hours of illumination. How is a business to prove that it "expects to operate outside of daylight hours throughout the year"; or that they "routinely carry out a significant proportion of their business at night"? But our further objections were ignored, and the plan has now been finally adopted including these requirements.

Comment: There is no further opportunity to object to these impossible requirements.

The whole idea of having to prove when you are open (for planning control) is silly – because it is changeable, and when is night? Is it 4pm in the winter? I would simply suggest that we ignore it – if asked, just say yes to everything (often or always open to 10pm, heavily dependent on after-office hours business – prove me wrong!).

We will have to await the next plan version and try again – and hope we get an Inspector who knows his business.

Date sent to Council: No further objections possible

Development Plan Monitoring