

To be Retained by BSGA



Consultation Period: 17/12/18 **To:** 3/2/19
Development Plan: Local Plan (Part 2) - Land Allocations and Detailed Policies - Main Modifications
District: Cheshire West and Chester
Relevant Policies: DM17
Or Narrative (refs): Paras 11.64 - 11.74

Background: This is the second part of the Local Plan which will finally replace 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 has now been held and the Inspector has proposed changes to the submitted plan, which, in his view, will make 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 are 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 proposes to delete the whole policy. It will be replaced by one which emphasises amenity and public safety. Decisive considerations will 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 accepts 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 seems to be fixated with hours of opening. He twice stresses 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 have been corrected as we recommended, as have the inaccuracies with regard to Areas of Special Control.

Comment: The policy and text are much improved. But there remains the concern about premises which operate outside daylight “throughout the year”. This implies a wholly new criterion to be considered. Will businesses now have to prove their hours of trade (and how)? What if their hours of trade change (longer or shorter)? What about signs that may remain when a business changes operator (consents for signs relate to the site, not the operator?)

Further objections have therefore been submitted to the impracticality (and possible legality) of this extra requirement. Restriction to hours of opening is all that is required (and, if expressed in general terms, will cover changes of hours and operator).

Date sent to Council: 17/12/18

Development Plan Monitoring