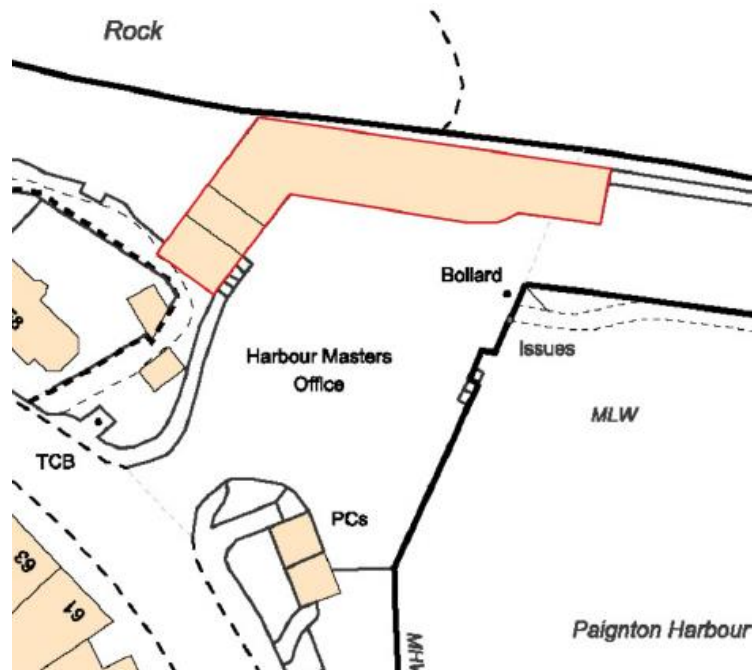




Application Site Address	Harbour Light Restaurant North Quay Paignton TQ4 6DU
Proposal	Signage including illuminated signage
Application Number	P/2019/1043/LB
Applicant	Design Management Partnership
Agent	Sign Specialists Ltd
Date Application Valid	09.12.2019
Decision Due date	03.02.2020
Extension of Time Date	Need to arrange.
Recommendation	That Listed Building Consent is granted.
Reason for Referral to Planning Committee	The proposal is on land registered as a Torbay Council asset and an objection has been received.
Planning Case Officer	Ross Wise



Site Details

The application site comprises a Grade II Listed Building, previously containing vacant restaurant and retail units along with storage uses associated with the Harbour. The Statutory Listing advises the building was likely to have been used as fish cellars and net stores associated with the fishing industry, which then later came into use, in part, as a restaurant with some storage use associated with ships in the Harbour.

The site is located within Flood Zones 2 and 3. The site is also within the designated Roundham and Paignton Harbour Conservation Area. There are a number of Grade II Listed Buildings within the immediate vicinity of the site. The site is within 250 metres of Roundham Head SSSI. The site is not located within Paignton Town Centre, however it is in close proximity.

Description of Development

The proposal seeks consent for signage to be displayed at various locations on the site (referenced A, B, C, E, F G, H, I, J and K):

- A – Individual letters fitted on rail structure to wall
- B, C, E, F, I & K – Non-illuminated Sign writing direct to building
- G & J – Illuminated Sign writing direct to building
- H – Amenity board

Pre-Application Enquiry

N/A

Relevant Planning Policy Context

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Paignton Neighbourhood Plan 2012-2030 (PNP)

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)
- Published standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report:

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. With regard to Conservation areas the Act requires that in the exercise, with respect to any buildings or other land in a Conservation Area, special attention

shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Relevant Planning History

P/2006/1341: Repointing Of Seaward North Sandstone Elevation. Approved 04/10/2006.

P/2019/0237: Internal and external alterations, additional external terrace area, external store areas and seating areas. New condenser units and structural alterations. Approved 17.07.2019

P/2019/0238: Internal and external alterations, additional external terrace area, external store areas and seating areas. New condenser units and structural alterations. Approved 17.07.2019

Summary of Representations

2 objections have been received, concerns were made regarding:-

- Illumination level.

Summary of Consultation Responses

Paignton Neighbourhood Forum: no response.

Historic England: *On the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions*

Key Issues/Material Considerations

- Impact on Heritage Assets.

Planning Officer Assessment

Impact on Heritage Assets.

Paragraph 124 of the National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition, paragraph 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Policy DE1 of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy PNP1(c) Design Principles of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal to be in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local

materials. Policy HE1 Listed Buildings of the Local Plan states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Proposals for the alteration or extension of any listed building will not be permitted if the character of the building would be adversely affected. Policy SS10 Conservation and the Historic Environment of the Local Plan states that proposals that may affect heritage assets will be assessed on the need to conserve and enhance the distinctive character and appearance of Torbay's Conservation Areas, whilst allowing sympathetic development within them.

The building is located in the Roundham & Paignton Harbour Conservation Area and is a Grade II Listed Building. The building's significance is derived from its associated use with the Harbour as its probable historic use as a fish cellar and net store. The building presents an industrial architectural character that is still visible, even after the conversions of the upper floor and the creation of the underpass, connecting the Harbour with the South-West Coast Path. In terms of internal evidential value, there is likely to be little due to the degree of works undertaken in previous conversions.

Whilst it is noted that there have been objections to this proposal, this application is for listed building consent only and does not concern impacts on residential amenity.

Branded signage is proposed at various locations on the building. The size and colour scheme of the branded signage is considered to be acceptable and in-keeping with the maritime aesthetic of the Harbour.

With regards to the overall layout of the signage, a revised set of drawings was sought to allow for the retention of a historic plaque and a blue heritage plaque fixed to the building by repositioning sign H on the North-west elevation.

Much of the proposed signage would be painted on the surface of the render, with limited illumination. The method of fixing is considered to be appropriate and acceptable with regards to the impact and intervention into the fabric of the listed building.

The visual appearance of the proposed signage is considered to be appropriate within the context of the streetscene and the surrounding premises. The proposal is considered to not cause a significant level of harm to the original property, the Conservation Area or the wider streetscene. The proposal is therefore considered to comply with Policies DE1, HE1 and SS10 of the Local Plan, Policy PNP1(c) of the Paignton Neighbourhood Plan, and the guidance contained in the NPPF.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as

expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Local Finance Considerations

S106: Not applicable. **CIL:** N/A

EIA

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Planning Balance

The proposal is considered to represent an appropriate form and degree of signage for its intended use, which will provide the Listed Building with a sustainable future and consequently enhance the visual character of the Conservation Area. Design and heritage impacts are considered acceptable.

Conclusions and Reasons for Decision

The proposal is acceptable in principle and would not result in unacceptable harm to: the visual character of the area or heritage assets. The proposal is therefore considered acceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, and all other material considerations.

Officer Recommendation

That Listed Building Consent is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director of Planning and Transport.

Conditions

n/a

Informatives

01. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.

02. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

Relevant Policies

Local Plan Policies

DE1 – Design.

HE1 – Listed Buildings

SS10 – Conservation and the Historic Environment.

Neighbourhood Plan Policies

PNP1(c) – Design Principles

PNP3 – Paignton Harbour.