DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1420
Portman Smile Clinic, 3 - 3A East Street, Horsham, West Sussex, RH12 1HH

DESCRIPTION:

Installation of 10x non-illuminated digitally printed and frosted window graphics (Retrospective).

RELEVANT PLANNING HISTORY:

DC/19/1103	Refurbishment of existing shopfront	Application Permitted on 09.10.2019
DC/18/2661	Change of use from A1 retail to D1 orthodontist	Application Permitted on 15.02.2019

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 14- Shop Fronts and Advertisements
Policy 25- Strategic Policy: The Natural Environment and Landscape Character
Policy 26- Strategic Policy: Countryside Protection
Policy 32- Strategic Policy: The Quality of New Development
Policy 33- Development Principles
Policy 34- Cultural and Heritage Assets

Horsham Blueprint Business Neighbourhood Plan (HBBNP) 2019 - 2036:
Policy HB3 - Character of Development
Policy HB4 - Design of Development
Policy HB7 - A Welcoming Public Realm
AIM2 - Conserving Heritage Assets

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

Horsham District Council: Conservation:
Horsham District Council's Conservation Officer received amended plans and commented:

Amended Plans

The amended plans although reducing the number of stock images (on the door and part of the window) do not overcome the concerns raised in our earlier response. An objection would still be raised to the application for the reasons set out previously.

Original Comments

The application building is within the Horsham Town Centre Conservation Area, and forms part of the central pedestrianised shopping area. The vibrancy of the streetscene which includes the building frontages contributes to the character of the conservation area. The use of window film to the extent proposed would result in a lessening of the interaction and intervisibility between the building and the street. It is considered that this loss of an active frontage would have an adverse impact on the character of the conservation area. The stock images also do not relate to the architectural character of the building and are completely incongruous in this location. It would be considered that the proposed advertisements would result in harm to the amenity and special character of the conservation area.

Section 72 (1) of the Listed Building and Conservation Areas Act requires that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The proposed generic scheme as it stands does not preserve or enhance the character or appearance of the area, and therefore an objection would be raised.

Parish Comments: Strong Objection

HDNC considers that the window graphics are too obtrusive, out of scale, and resemble billboard hoardings. They are totally out of keeping in the conservation area.

Representations:

3 representations have been received which objected to the proposal.

Comments coalesced around the design of the proposal. The proposal was considered insensitive and uncharacteristic of the area. The designs were commented as upsetting the visual amenity of the area and harmful to the conservation area.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The proposed development is for the installation of 10x non-illuminated digitally printed and frosted window graphics (Retrospective) at 3A East Street, Horsham, West Sussex. 3A East Street is a dentist / orthodontic surgery known as Portman Smile Clinic. The site is within the Horsham Conservation Area and primarily consists of retail offerings.

The application has been assessed on the basis of the submitted details, together with the planning history of the site, available images and photographs. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policy 14 of the HDPF illustrates that applications for new and replacement shop fronts, including fascias, will be supported where the proposal appropriately respects the architectural style, character and form of its setting in terms of materials, colours and illuminations. Within a Conservation Area or on a Listed building, development will be expected to retain existing traditional shop fronts and features or architectural/historic interest. The use of traditional materials, traditionally painted fascias, hanging signs and muted colours will be welcomed.

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy HB3 and HB4 of the HBBNP cover the design and character of development within Horsham which is supported by the neighbourhood councils of Forest, Denne and Trafalgar. It advocates for high quality design and construction that integrates with its surroundings whilst minimising impact on natural environments. It should reflect the character and architectural forms of the area in order to protect against inappropriate design.

Policy HB7 of the HBBNP states that proposals that have the potential to provide public realm improvements should consider and address those opportunities as part of their scheme. In particular, proposals should seek to:

- Reinforce the concept of legible “character areas” / “quarters” with distinct identities, as described in the Town Centre Vision;
- Within the Plan area, proposals for an advertisement and/or signage will be supported where it would not be obtrusive in appearance, cause visual clutter or lead to a proliferation of signs, appear dominant or overbearing in the street scene, or cause significant harm to the appearance of any building on which it would be displayed because of its siting, size, design, illumination, construction or materials.

The proposed development is for the installation of 10x non-illuminated digitally printed and frosted window graphics (Retrospective) at 3A East Street, Horsham, West Sussex. 3A East Street is a dentist / orthodontic surgery known as Portman Smile Clinic. The site is within the Horsham Conservation Area and primarily consists of retail offerings.

It is acknowledged that an amended plan was submitted over the course of the application which reduced the number of stock images and replaced with frosted white and grey graphics.

The proposal sees window graphics spread along the shop front advertising the orthodontics surgery. These consist mainly of a stock image, white and grey graphics, and text advertising in black with green accented designs. Some adverts obscure entire windowpanes, albeit with a small retained opening above, with a few windows having frosted glass for privacy. The image adverts are considered garish and large, with these uncharacteristic of the conservation area and prohibitive of an active frontage for the surgery. This is also considered true for the text and graphic adverts. The expanse of the adverts is also considered to be detrimental to the visual flow of the street scene, actively harming the street scene, where it would be considered that the proposal is akin to a boarded-up shop front. The adverts are considered to be of poor design which do not respond well to the conservation area and are thought to actively harm the special character of the area.

The design would be considered incompatible with the surrounding streetscape and conservation area and therefore does not accord with the policies listed above.

Heritage Impacts

Policy 34 of the HDPF seeks to conserve, sustain and protect the cultural and heritage assets that are within the district. It ensures that development within conservation areas is consistent with the special character of buildings and areas of which they are located within. Areas and buildings that fall under conservation, Listed Building designations or are approximate to them will be protected from inappropriate development which will harm the character and setting of the area / building.

AIM2 of the HBBNP is to protect and conserve the historical interest and character of Horsham. Horsham has many buildings of historic interest and conservation areas which purpose is to protect buildings from being harmed by development that is not in character to the area.

Following from the Conservation Officer's assessment of the proposal, it is considered the proposal does not actively respond to the conservation area and harms the character of the area. It is considered by the Conservation Officer that the vibrancy of the street scene is actively harmed by the proposal due to the abundance and design of advertisement. It would be considered that the proposed advertisements would result in harm to the amenity and special character of the conservation area.

The proposals design would be considered incompatible to the special character of the conservation area and therefore does not accord with the policies listed above.

Conclusion

The 10x non-illuminated digitally printed and frosted window graphics (Retrospective), given the existing and prevailing street scene, would harm the appearance of the wider street scene and conservation area, contravening with Policies 14, 32, 33 & 34.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The 10x non-illuminated digitally printed and frosted window graphics would, given the existing and prevailing street scene, harm the visual amenity and appearance of the wider street scene and designated conservation area, contrary to Policies 14, 32, 33 and 34 of the Horsham District Planning Framework (2015).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1420
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Photos		NONE	16.09.2024
Block plan		NONE	16.09.2024
Location plan		NONE	16.09.2024

Elevation plan		NONE	16.09.2024

DELEGATED

Case Officer sign/initial J.Burrowes Date: 27/01/2025

Authorising Officer sign/initial T Dale Date: 29/01/2025