

Case Officer: Catherine Harker **Recommendation:** Approve

Applicant: WH Brakspear and Sons Ltd

Proposal: Part Retrospective update/refresh of the existing signage for The Lion. New external lighting fixed to the exterior of the building to replace brass swan-neck lighting installed without LBC (new lighting to replace the "swan necks" has not yet been installed)

Expiry Date: 28 August 2023

1. APPLICATION SITE AND LOCALITY

1.1. The application relates to a Grade II Listed Building listed under the name The Red Lion in the village of Wendlebury.

Listing Entry (1987)

1.2. *WENDLEBURY MAIN STREET SP51NE (East side) 3/139 The Red Lion Public House GV II Public house. Early/mid C18. Coursed limestone rubble with some ashlar dressings; Welsh-slate and Stonesfield-slate roofs with brick stacks. 3-unit range with rear outshut and subsidiary ranges. 2 storeys plus attic. 5-window main range has, to left, a symmetrical 3-window arrangement with a central door, flanking 3-light casements, and 2-light windows at first floor; 2-window section to right has similar windows and a blocked door. All openings have ashlar flat arches with projecting blocks. Roof has stacks to right of centre and on each gable, plus 3 hipped roof dormers. Slightly lower stone-slatted bays at each end have some flat-arched openings with, to right, an old plank door. Single-storey slated 2-window range to extreme left is probably C19. Rear of main roof is stone-slatted and continues over a rear outshut.*

1.3. The pub fronts directly onto the village street, with no pavement between the building and the road, and timber signs and hanging baskets project out over the road at high level.

2. DESCRIPTION OF PROPOSED ADVERTISEMENT(S)

2.1. 6 signs have or are proposed to be installed on the pub with associated lighting.

- The cream front hanging sign has been replaced with a new sage green sign. The traditional metal bracket has been re-used
- The sign board on the south elevation has been replaced with a larger sign board
- The blocked off door on the south elevation is to be filled with a sign regarding Ales, beer garden etc
- The painted lion outline and lettering to the north elevation has been replaced with attached gold lettering. This will be illuminated by discrete LED lighting hidden in the eaves and pointed down at the lettering

- A small sign pointing to parking has been installed on the north elevation
- A menu box is to be installed beside the front entrance. This would be internally lit with LED string lighting

2.2. The unlawful swan neck lighting is to be removed

3. RELEVANT PLANNING HISTORY

3.1. There is no planning history directly relevant to the proposal

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **4 August 2023**, by advertisement in the local newspaper expiring **10 August 2023** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **10 August 2023**.

5.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. No objections

OTHER CONSULTEES

6.3. CDC Conservation – no comments received

6.4. OCC Highways – No objections

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for advertisement consent must be determined in accordance with the development plan and any other relevant factors.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- ESD15 - The Character of the Built and Historic Environment

7.3. Other Material Planning Considerations

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) – “The Advertisement Regulations”
- National Planning Policy Framework (NPPF) in particular Paragraph 132
- Planning Practice Guidance (PPG)
- CDC Design Guide for Shop Fronts and Advertisements: Historic Buildings and Conservation Areas (2013)

8. APPRAISAL

8.1. Regulation 3 of the Advertisement Regulations limits the Local Planning Authority’s powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

Amenity

8.2. Regulation 3(2a) of the Advertisement Regulations states that: *factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.*

8.3. Paragraph 132 of the NPPF recognises that: *The quality and character of places can suffer when advertisements are poorly sited and designed.* However it goes on to state that: *Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*

8.4. The Lion is a Grade II Listed Building within a quiet rural village, and any signage or lighting will always need to reflect this.

8.5. The new timber signs are considered to be of an appropriate material and colouring for a listed building, in accordance with the CDC Design Guide for Shop Fronts and Advertisements: Historic Buildings and Conservation Areas (2013) and although one of the signs is larger than previously, and slightly competes with the interesting historic first floor loading door on the south end elevation of the pub, it is not so large or obtrusive as to be harmful.

8.6. The timber hanging sign to the front elevation utilises the historic bracket, which is welcomed.

8.7. The gold metal lettering on the north elevation is considered somewhat more brash than the previous black painted sign, but this style of sign is common on older pubs and is not considered harmful to the character of the building. The revised lighting proposed, with simple hidden LED lights in place of the obtrusive swan neck lights is considered acceptable and in keeping with the advice in the CDC Design Guide for Shop Fronts and Advertisements: Historic Buildings and Conservation Areas (2013) for lighting.

8.8. The new parking sign and Real Ale sign over the existing door to the south elevation are also considered acceptable.

8.9. The removal of the unlawful swan neck lights which appear overly twee and incongruous with the simple character of this country pub, is welcomed.

8.10. The new menu board is reasonably appropriate for the building, and would not result in harm to the significance of the listed building.

- 8.11. On balance it is considered that the signs would not harm the historic significance of the listed building, particularly as they would all be easily reversible at a later date. It is considered that the signs and revised lighting would not harm the visual amenity of the street scene or historic building, nor the residential amenity of neighbouring properties.

Public Safety

- 8.12. Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.
- 8.13. The hanging sign would project out over the highway as the existing one does, and all would be visible from the highway. OCC Highways have been consulted and have no objections on grounds of road safety.

9. CONCLUSION

- 9.1. The signs and associated lighting proposed would not harm amenity or public safety and a positive recommendation is made.

10. RECOMMENDATION

That consent is granted, subject to the following conditions:

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: Location and block plan, proposed elevation AAN 23 869 1 and detail drawings entitled Brass case menu details, car park fascia details, fascia sign details, hanging sign details, information fascia sign details, lettering on rails and proposed menu board to front elevation.

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. No advertisement shall be sited or displayed so as to -

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

- 5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

- 6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

- 7. Where an advertisement is required under the Advertisement Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Case Officer: Catherine Harker

DATE: 23/08/23

Checked By: Paul Ihringer

DATE: 24/8/23
