

**LONDON BOROUGH OF ENFIELD**

**PLANNING COMMITTEE**

**Date: 7<sup>th</sup> March 2023**

**Report of**

Brett Leahy -  
Director of Planning &  
Growth

**Contact Officers:**

Dino Ustic  
David Gittens

**Category**

Advertisement  
Consent

**Ward**

Town

**Councillor Request**

No

**LOCATION:** 8 The Town, Enfield

**REFERENCE:** 22/03818/ADV

**PROPOSAL:** Installation of internally illuminated fascia sign and 1 internally illuminated projecting box sign (RETROSPECTIVE).

**Applicant Name & Address:**

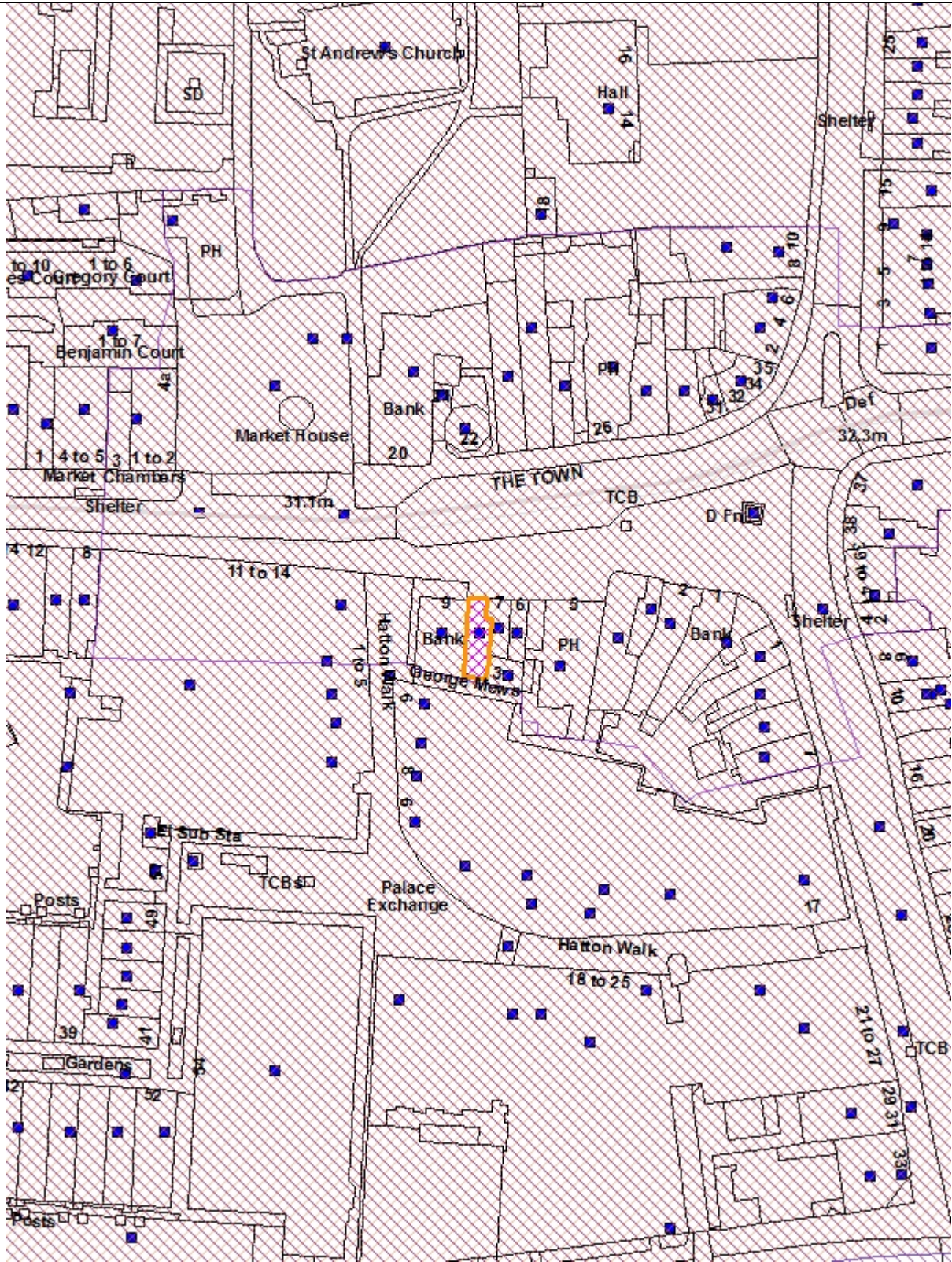
Mustafa Kirac  
8 The Town  
Enfield  
EN2 6LE

**Agent Name & Address:**

Nurhan Erk  
ERK STRUCTURAL & DESIGN  
CONSULTANCY  
189 LATYMER ROAD  
LONDON  
N9 9PN

**RECOMMENDATION:**

1. That the Head of Development Management be authorised to GRANT planning permission subject to the conditions set out in the Recommendation section of this report.
2. That the Head of Development Management be granted delegated authority to agree the final wording of the conditions.



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Scale 1:1250

North



**1. Note for Members:**

- 1.1 Although a planning application of this nature can be determined under delegated authority, it is reported to Planning Committee in accordance with the agreed scheme of delegation because the Applicant is related to Cllr Susan Erbil.

**2. Recommendation**

That the Head of Development Management be authorised to GRANT planning permission subject to the following conditions:

1. The development hereby permitted shall be maintained in accordance with the following approved plans:

Drw No: ERB-07-PL01F  
Drw No: Site Location Plan dated 07/07/2022  
Drw No: ERB-07-PL02E  
Design Access & Heritage Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Standard Advertisement

- (1) 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.
- (2) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
- (3) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
- (4) 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.
- (5) 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: In the interests of amenity, highway safety and public safety and as required by regulation 2(1) and Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

3. The intensity of the illumination of the sign permitted by this consent shall be no greater than 300cd/m<sup>2</sup> between dusk till dawn, or (where unspecified), within that recommended by the Institution of Lighting Professionals (ILP) Guidance note 05 "The Brightness of Illuminated Advertisements".

Reason: In the interests of amenity and highway safety.

4. The advertisement hereby approved must not have any intermittent light source, moving feature, exposed cold cathode tubing nor produce a strong light beam.

Reason: In the interests of amenity and highway safety.

5. Within three months of the decision notice, the remnants behind the projecting box signs shall be removed. Evidence demonstrating that the remnants have been removed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the Conservation Area and locally listed building.

2.2 That the Head of Development Management be granted delegated authority to agree the final wording of the conditions to cover the matters in the Recommendation section of this report.

### **3 Executive Summary**

3.1 The proposal is for the installation of internally illuminated fascia sign and 1 internally illuminated projecting box sign (RETROSPECTIVE).

3.2 The application site forms part of a major shopping centre with primary shopping frontage. The site falls within the Enfield Town Conservation Area and the building is locally listed.

3.3 DMD37 of the Council's Development Management Document all seek to ensure high quality design in the context of the setting of new development. DMD41 amongst other aspects which are discussed within the report requires advertisements to be of an appropriate size and type in relation to the premises and to the street. The application building is locally listed and the site falls within the Enfield Town Conservation Area and therefore Policy DMD44 (Conserving and Enhancing Heritage Assets) is a pertinent policy in considering development on the site.

3.4 This proposal has been assessed against the criteria contained in Policy DMD37, DMD41 and DMD44 and in principle, the major centre location, Conservation Area within a primary shopping frontage is considered to be an acceptable location for the installation of internally illuminated fascia sign and 1 internally illuminated projecting box sign (RETROSPECTIVE).

3.5 Subject to conditions, Traffic and Transportation have raised no objection to the scheme. Heritage and Conservation have concluded that the scheme would result in less than substantial harm to the Enfield Town Conservation Area. Therefore, the decision to support the application is a result of undertaking a titled balance exercise.

3.6 No harm to amenity of residential occupiers is identified subject to the attachment of conditions.

- 3.7 Consequently, the proposal is considered to be acceptable having regard to Policies SD6, D4, D8, Core Policy 17 and 18 of the Council's Core Strategy (2010) as well as Policies DMD26, DMD 37, DMD 39 and DMD 41 of the Council's Development Management Document (2014).

#### **4. Site and Surroundings**

- 4.1 The site is located within the Enfield Town Major Centre, within a primary shopping frontage and the Enfield Town Conservation Area and consists of a 19th century mid-terrace building. The site comprises a ground floor silver, gold and watch shop (use class E) and is situated to the south of the Town and north of George Mews along Church Street.
- 4.2 The application building is a locally listed building but is not subject to a statutory listing.
- 4.3 The immediate surrounding area is mixed in character consisting of commercial and retail use and food and drink outlets given its major centre designation.

#### **5. Proposal**

- 5.1 Advertisement consent is sought for the installation of internally illuminated fascia sign (3.88m in width x 1m in height) and 1 internally illuminated projecting box sign (RETROSPECTIVE). The projection sign currently projects out approximately 1m.
- 5.2 The applicant has removed the advertisements which covered the two pilasters since application ref: 22/02443/ADV.

#### **6. Relevant Planning Decisions**

- 6.1 The following planning history is considered relevant to the proposal:
- 6.2 22/02443/ADV - Installation of internally illuminated fascia sign and 2Nos. internally illuminated projecting box signs (RETROSPECTIVE). Refused. 19.10.2022.

*The development, by reason of the size, design and appearance of the retrospective internally illuminated box sign, fascia sign, covering of pilasters and colouring of branding and canopies over the upper floor windows, would result in an unsympathetic and harmful impact to the setting of the Enfield Town Conservation Area, failing to preserve or enhance the heritage asset as set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such, the development is contrary to policy HC1 of the London Plan (2021), policies 30 and 31 of the Core Strategy (2010), policies DMD37 and DMD44 of the Enfield Development Management Document (2014), the guidance contained within the National Planning Policy Framework and the Enfield Town Conservation Area Character Appraisal.*

- 6.3 17/00137/FUL - Change of use of first, second and third floors from offices (Class B1) to 1 x 2-bed self contained flat (Class C3). Refused. 29.03.2017.
- 6.4 16/02693/FUL - Conversion from offices to 1x2 bedroom flat. Refused. 02.11.2016.CAC/89/0008 - Demolition of existing shop front. (Retrospective). Granted. 13.11.1989.

6.5 All other applications were prior to 1989 and hence carry little weight in decision making given policies at local, regional and national level have changed.

## **7. Consultations**

### **7.1 Statutory and non-statutory consultees**

#### Heritage & Conservation

7.1.1 Although the Heritage officer is unable to support, it is recognised the level of harm to the Enfield Town Conservation Area as a designated heritage asset is considered to be less than substantial.

#### Transportation

7.1.2 Transportation raise no objection subject to relevant conditions. This will be discussed further in the Analysis section of this report.

### **7.2 Public**

7.2.1 Consultation letters were sent to sixteen (16) adjoining and surrounding properties. One objection raising the following points was received:

- Fascia oversized – Discussed within the report
- Lettering is large and inappropriate and not discrete – Discussed within the report
- Design out of keeping – Discussed within the report

## **8. Relevant Policies**

8.1 Section 70(2) of the Town and Country Planning Act 1990 requires the Committee have regard to the provisions of the development plan so far as material to the application: and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Enfield Core Strategy (2010); the Enfield Development Management Document (2014); and The London Plan (2021).

#### The London Plan (2021)

8.3 The London Plan is the overall strategic plan for London setting out an integrated economic, environmental, transport and social framework for the development of London for the next 20-25 years. The following policies of the London Plan are considered particularly relevant:

- Policy SD6: Town centres and high streets
- Policy D4: Delivering Good Design
- Policy D8: Public realm
- Policy HC1: Heritage conservation and growth

#### Enfield Core Strategy (2010)

8.4 The Core Strategy was adopted in November 2010 and sets out a spatial planning framework for the development of the Borough through to 2025. The document provides the broad strategy for the scale and distribution of development and supporting infrastructure, with the intention of guiding patterns of development and ensuring development within the Borough is sustainable. The following is considered particularly relevant:

CP 17: Town Centres

CP 18: Delivering Shopping Provision Across Enfield

CP 30: Maintaining and Improving the Quality of the Built and Open Environment

CP: Built and Landscape Heritage

#### Enfield Development Management Document (2014)

8.5 The Council's Development Management Document (DMD) provides further detail and standard based policies by which planning applications should be determined. Policies in the DMD support the delivery of the Core Strategy. The following local plan Development Management Document policies are considered particularly relevant:

DMD 26: Enfield Town

DMD 37: Achieving high quality and design-led development

DMD 39: The design of business premises

DMD 40: Ground Floor Frontages

DMD 41: Advertisements

DMD 44: Conserving and Enhancing Heritage Assets

8.6 Other relevant policy

Enfield Town Conservation Area Character appraisal (2015)

Enfield Shopfronts and Associated Advertisements (S&AS) SPD

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

PLG05: The Brightness of Illuminated Advertisements (Institution of Lighting Professionals, 2015)

## **9. Assessment**

### Background

9.1 The submitted application is retrospective following the unauthorised works being highlighted to the Enforcement Team and follows refused application ref: 22/02443/ADV.

### Principle of advertisement signage

9.2 Various sized illuminated advertisements are evident in the immediate built location and are considered a prevailing character feature of the location in George Mews. The prevailing pattern of development in the location is therefore not resistant to the principal of fascia signs.

### Impact on Enfield Town Conservation Area and Locally Listed Building

- 9.3 Policy D4 of the London Plan (2021), policy CP30 of Enfield's Core Strategy (2010) and policy DMD37 of the Council's Development Management Document (2014) all seek to ensure high quality design in the context of the setting of new development.
- 9.4 Policy DMD 41 (Advertisements) requires the following:
1. *Advertisements must be of an appropriate size and type in relation to the premises and to the street.*
  2. *Fascia boards must be of a height and depth consistent with the traditional proportions of the building.*
  3. *Proposals for internally illuminated signs, box fascias or projecting box signs are unlikely to be acceptable in conservation areas and will normally be refused elsewhere unless the proposal is slim; recessed into the fascia area; contained between flanking pilasters; or where the proposed advertisement type is a feature of the building upon which it is proposed. Internal illumination of the entire sign will rarely be acceptable. Externally illuminated fascias and bracketed sign boards may offer an acceptable alternative.*
  4. *Within the Area of Special Advert Control and within conservation areas, the size, siting and illumination of new advertisements must protect the special characteristics and overall visual amenity of the relevant designation. Adverts should not become visually dominant, nor result in unnecessary advertisement clutter and must be directly related to activities of the site on which they are displayed.*
- 9.5 The application building is locally listed and the site is located within the Enfield Town Conservation Area and therefore Policy DMD 44 (Conserving and Enhancing Heritage Assets) is a pertinent policy in considering development on the site. Poor quality shopfront and signage are identified within Enfield Towns Conservation Character appraisal (2015).
- Applications for development which fail to conserve and enhance the special interest, significance or setting of a heritage asset will be refused.
  - The design, materials and detailing of development affecting heritage assets or their setting should conserve the asset in a manner appropriate to its significance.
- 9.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on planning authorities to preserve or enhance the character and appearance of conservation areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions.
- 9.7 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be (para 199). Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting (para 200). Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting (Annex 2). There should be 'clear and convincing' justification for any harm to, or loss of, a designated heritage asset (para 200). Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 202).



- 9.8 Where harm is caused to a designated heritage asset, the NPPF requires decision makers to determine whether the harm is substantial, or less than substantial. In the case of any harm being identified paragraph 200 requires there to be a 'clear and convincing' justification. If the harm is deemed to be less than substantial, paragraph 202 of the NPPF requires the harm to be weighed against the public benefits of the proposal, including, 'where appropriate', securing the optimum viable use of the heritage asset. Where the harm is caused to a non-designated heritage asset, paragraph 203 states 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

#### *Pilasters*

- 9.9 The applicant has removed the advertisements which covered the two pilasters which is positive. Heritage consultees advise that is essential for the work to be finished and the remnants behind the projecting box signs further removed. The LPA advise this could be ensured through a compliance condition requiring the projecting box signs to be removed within a defined period following approval.

#### *1 x internally illuminated projecting box sign*

- 9.10 It is acknowledged that internally illuminated projecting box-signs are not considered appropriate within Conservation Areas. Furthermore, the colouring does not harmonise with the host building which is locally listed. However, the proposed scheme along with the advertisements covering the pilasters being removed contributes to a simpler design more in keeping within the immediate vicinity of the area. It is also noted that the application now proposes 1 x internally illuminated projecting box sign which is an improvement to previous application ref: 22/02443/ADV which proposed x 2 internally illuminated projecting box signs.

#### *1 x internally illuminated fascia sign*

- 9.11 Given all fascia signs since 2008 have extended beyond the original "signable area", a new signage of the same size would be considered to preserve local character. As such, there is not an objection to the proposed size.
- 9.12 Heritage consultees have advised the reflective gold lettering does not sit sympathetically with the host building. Whilst a non-reflective finish would be more welcome, on balance, with weight being given to the context of Enfield Town containing advertisements with illuminated fascia signs, the LPA consider this concern not worthy for planning permission to be refused.
- 9.13 Heritage Officers consider that the proposal would result in less than substantial harm. However, Officers consider for the reasons above, that the proposal would not result in any harm to the designated and non-designated heritage assets to warrant further changes or refusal of the application.

#### Neighbouring Amenity

- 9.14 There are residential dwellings located on the upper floors along Church Street. The proposed illumination of the sign surround could have the potential to impact the amenities of the occupiers of this terrace should the illumination become overly bright or intermittent. To mitigate the impact on neighbouring residential amenity, conditions

would be attached to the permission limiting the levels of illumination and ensuring that there are no intermittent light sources.

### Traffic and Transportation

- 9.15 Signage or advertisements must not obstruct any sightlines or visibility or be in a position where they would be overly distracting to road users passing by; advertisements that are located within the sightline of road signs or traffic lights, for example should be avoided as would be unduly distracting and therefore a safety hazard. Transportation consultees advise that the illuminance levels could be controlled with a planning condition.
- 9.16 It is considered the retrospective signage would not be overly distracting to road users to warrant a refusal of the application. No safety concerns are anticipated.

### 10. Community Infrastructure Levy

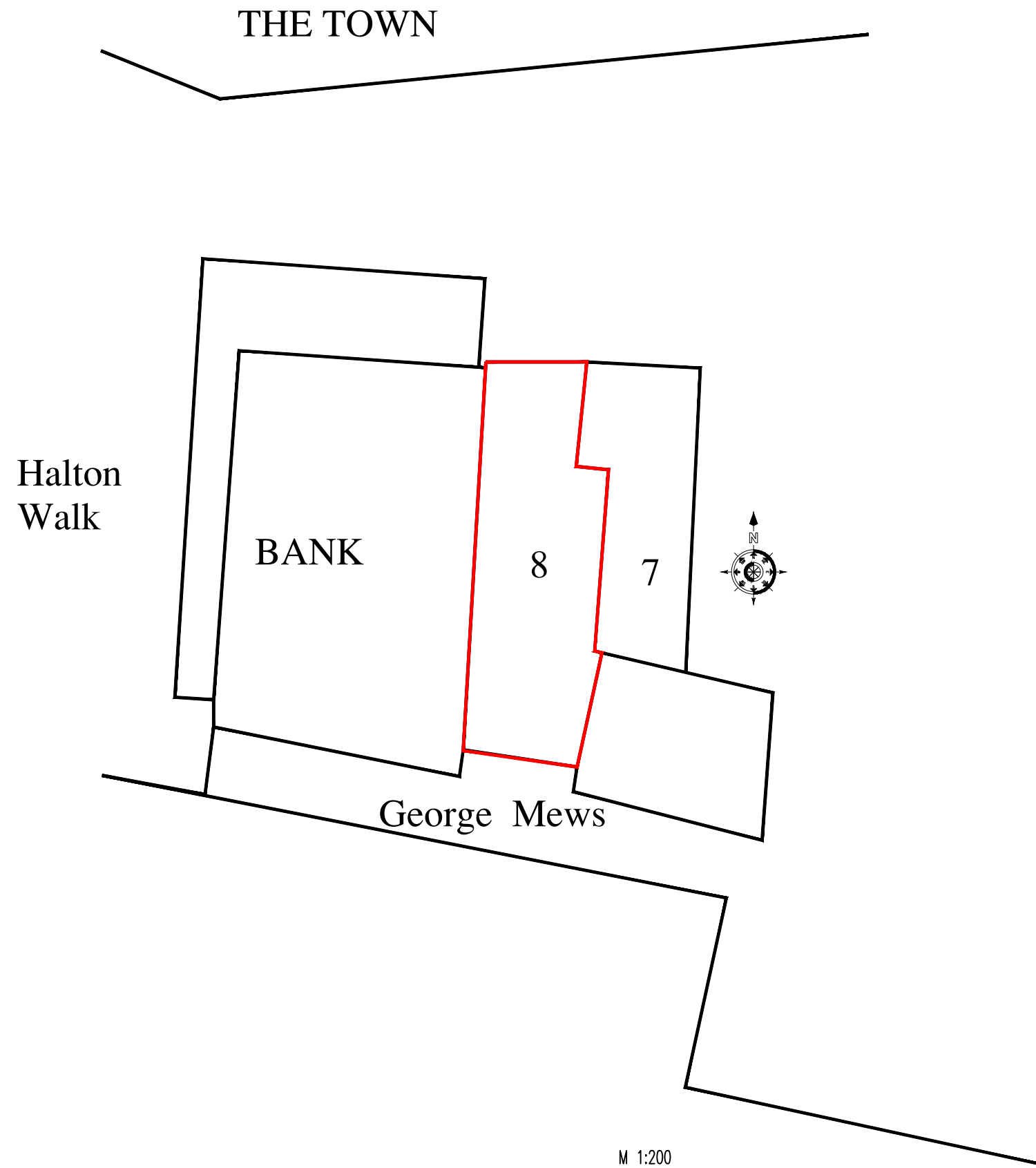
- 10.1 The site is located within the higher CIL charging zone of £40 per sqm as per the Councils adopted CIL charging schedule as of April 2016. Given the site would not result in any additional net floor area the development would not be CIL liable.

### 11. Public Sector Equalities Duty

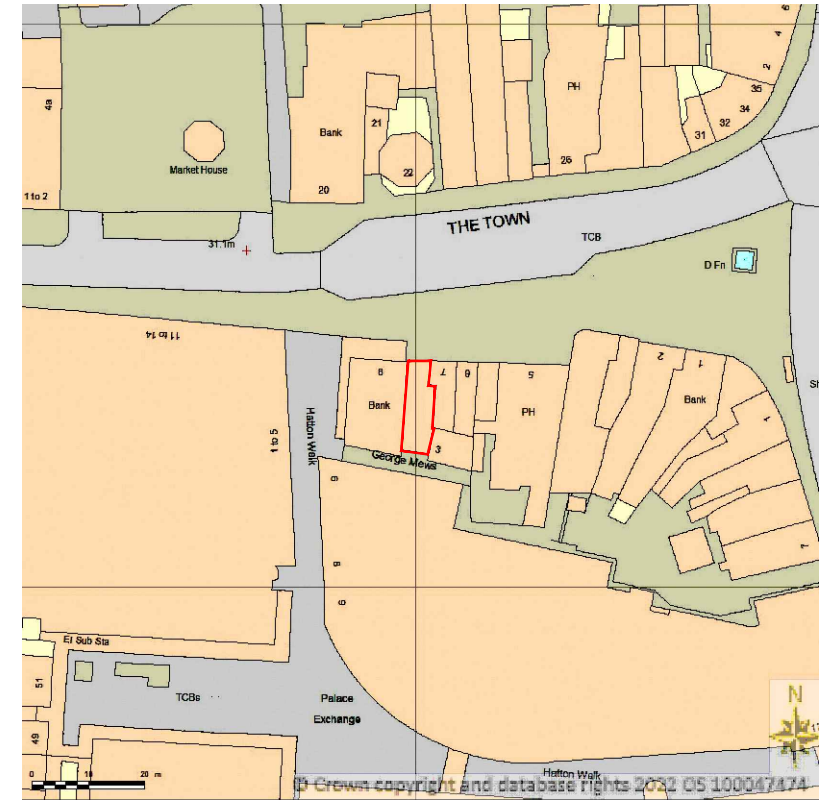
- 11.1 Under the Public Sector Equalities Duty, an equalities impact assessment has been undertaken. It is considered the proposal would not disadvantage people who share one of the different nine protected characteristics as defined by the Equality Act 2010 compared to those who do not have those characteristics.

## **12. Conclusion**

- 12.1 Having regard to the above assessment and subject to the attachment of the suggested conditions, and with particular reference to Policy DMD 28, 37, 41 and 44, Officers conclude that the proposal would not result in harm to the character and appearance of the Enfield Town Conservation Area and the locally listed building, and would not negatively impact on the vitality, function or character of the major centre or primary shopping parade.
- 12.2 It is considered the proposed will not cause any undue harm to the amenities of neighbouring residential properties.
- 12.3 It is also considered the proposal would not harm the safety and free flow of traffic on the adjoining highways.
- 12.4 The proposal on balance is considered acceptable in relation to London Plan (2021) Policies D4, SD6, Core Policy 17 & 18 of the Council's Core Strategy (2010) as well as Policies DMD26, DMD 37, DMD 41 of the Council's Development Management Document (2014).



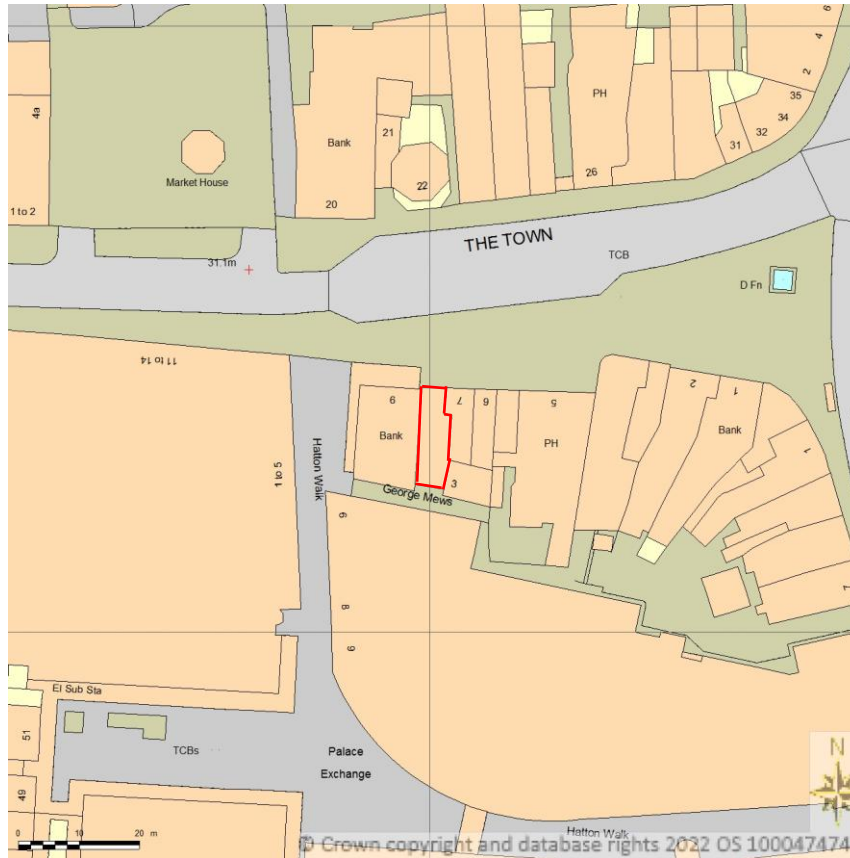
SITE PLAN



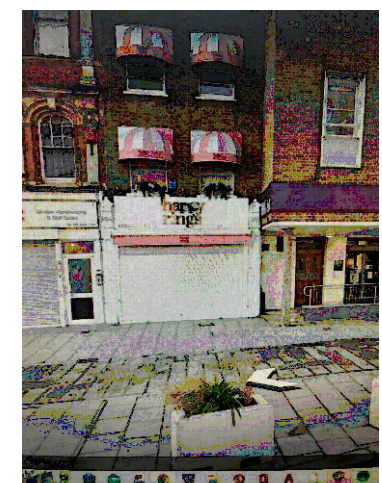
EXISTING BLOCK PLAN

FULL PLANNING APPLICATION			
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date	SEPT 2022		
draw no	ERB-07-PL02E		

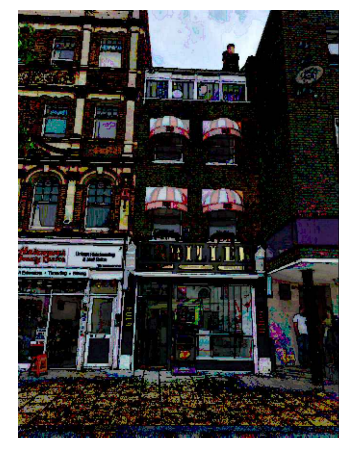
**SITE LOCATION PLAN**  
**AREA 2 HA**  
**SCALE 1:1250 on A4**  
**CENTRE COORDINATES: 532801, 196533**



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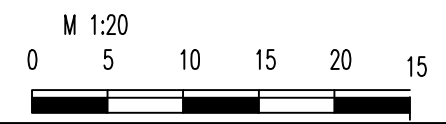
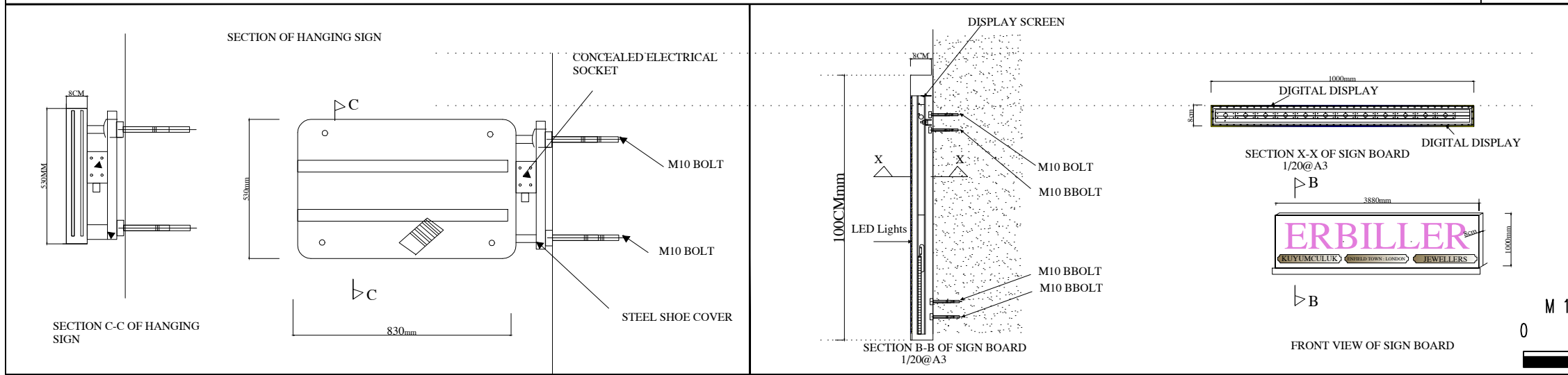
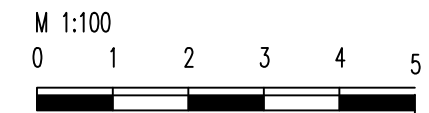
2  
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BEFORE APPLICATION



3  
FASCIA SIGN PICTURE  
AFTER WINDOW CANOPIES  
REMOVED



4  
FASCIA SIGN PICTURE  
AFTER WINDOW CANOPIES  
AND VERTICAL SIGN HAVE  
BEEN REMOVED



FULL PLANNING APPLICATION			
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project	8 THE TOWN ENFIELD EN2 6LE		
drawing title	EXISTING FLOOR PLAN EXISTING ELEVATION PICTURES		
scale	1/100@A3		
date	SEPT 2022		
draw no	ERB-07-PL01F		