

Committee	PLANNING COMMITTEE (C)	
Report Title	HARE AND BILLET PUBLIC HOUSE, 1A ELIOT COTTAGES, BLACKHEATH, SE3 0QJ	
Ward	Blackheath	
Contributors	Gemma Barnes	
Class	PART 1	Date: 14 March 2013

Reg. Nos. DC/12/82040

Application dated 26.11.2012 revised 19.02.13

Applicant Mr G Morgan on behalf of Greene King Pub Company

Proposal Retrospective consent sought for the display of various illuminated and non-illuminated advertisement signs including fascia signs and projecting signs at the Hare and Billet public house, Eliot Cottages, SE3.

Applicant's Plan Nos. Un-numbered Site Location Plan received 30 November 2012 and Sheet 1, 2, 3, 4, 5, 6 and 7 received 19.02.13

Background Papers

- (1) Case File LE/684/B/TP
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents – specifically Core Strategy
- (4) The London Plan (2011)
- (5) National Planning Policy Framework (2012)
- (6) Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Designation PTAL 4, Area of Special Character, Area of Archaeological Priority, Blackheath Conservation Area, Locally Listed Building.

Screening N/A

## **1.0 Property/Site Description**

1.1 This application relates to the Hare and Billet Public House which is located on the corner of Hare and Billet Road and Eliot Place (Eliot Cottages) directly opposite the pond on Blackheath. The main building of the pub is a brick built three storey end of terrace property, attached to the rear is a two storey brick built addition which became part of the pub in 1995. The main building has a pitched roof set behind a high parapet, there are uniform window openings at first and second floor level (infilled on the west elevation) and a traditional public house façade on the ground floor. The first and second floors are set back from the ground floor on the north elevation which allows for a small terrace at first floor level.

1.2 The Hare and Billet public house is a key building in this group of properties and a notable landmark. The prominent chimneystacks and the stuccoed surrounds to the blank windows on its western façade are visible for some distance and form an important part of the Blackheath skyline.

- 1.3 The pub is accessed on the north elevation. There is a closed yard in the southern section of the site which is used as a bin store area.
- 1.4 Adjoining the pub to the east is a terrace of 4 storey (3 storey plus roofspace) period properties comprising commercial uses on the ground floor with residential above. Adjoining the pub to the south is a terrace of 4 storey (including basement) residential dwellings. The properties fronting Hare and Billet Road, Eliot Place and Grottes Cottages form an island, the properties are generous in scale but occupy small footprints giving rise to a compact form of development whereby occupiers overlook each other at close proximity, particularly at the rear of the pub.
- 1.5 No.1 Eliot Cottages shares a party wall with the rear section of the pub. No.9 Hare and Billet Road abuts main pub building. No.9 is in commercial use at ground floor and residential use on the upper floors, the kitchen to the residential unit is located in the rear projection so overlooks the existing first floor toilets in the pub and the existing extract ducting in close proximity. It is important to note that the occupier of no.9 has a bathroom window close to the shared boundary and a roof terrace abutting the shared boundary. No.2 Grottes Place has clear views of and is located fairly close to, the existing extract duct given the close proximity of the bedroom window to the pub boundary.
- 1.6 In a wider context the site lies just outside Blackheath Village centre in a predominantly residential area although there are 3 commercial units to the east of the pub.

## **2.0 Planning History**

- 2.1 1955: Erection of single storey lavatory extension. Granted.
- 2.2 1955: Alteration, including the formation of new vehicular access to the garage and store. Granted.
- 2.3 1986: Alterations and erection of single storey extension within the existing yard area and an enclosed corridor and stairs at first floor level. Granted.
- 2.4 1990: The construction of a brick wall, gates and canopy to provide a bin enclosure. Granted.
- 2.5 1992: The construction of a brick wall, gates and canopy to provide a bin enclosure. Granted.
- 2.6 1995: The erection of a parapet wall at first floor level on the roof of the pub to screen existing cooling plant. Granted.
- 2.7 1994: The installation of external extract ductwork above part of the roof at second floor level increase in height of the existing parapet wall to partly obscure the ductwork. Granted.
- 2.8 1996: The display of 2 externally-illuminated fascia signs plaque and 2 blackboards together with the erection of a lantern on the front elevation. Granted.

- 2.9 **DC/12/79769:** Alterations to the side elevation including the installation of new double doors and two new windows to replace existing window and door at the Hare and Billet PH, Eliot Cottages, Hare and Billet Road, SE13 together with internal upgrading of the existing extract ducting at the rear of the property and partial demolition and rebuild of the yard wall. Approved.
- 2.10 **DC/12/81437:** Details of New Windows and Doors, and Sample Brick Panel submitted in compliance with Conditions (2) and (4) of the planning permission DC/12/79769 dated 24 August 2012, for alterations to the side elevation including the installation of new double doors and two new windows to replace existing window and door at the Hare and Billet PH, Eliot Cottages, Hare and Billet Road, SE13 together with internal upgrading of the existing extract ducting at the rear of the property and partial demolition and rebuild of the yard wall. Approved.

### **3.0 Current Planning Applications**

#### The Proposals

- 3.1 Retrospective advertisement consent is sought for the display of the following advertisements:-

#### Front (north) façade

- Handwritten sign to be installed on the existing fascia band at the top of the building. This will comprise the stonework being painted cream with black individual letters (270mm high);
- Replacement hanging sign at first floor level. The metal sign would measure 1200mm x 900mm x 5mm (thick). The sign would comprise cream background with black image and lettering. The sign would be illuminated by replacement trough lights fitted to the existing gibbet;
- Handwritten sign to be installed on the existing fascia band at ground floor level of the building. This will comprise black individual letters (282mm high) being painted directly onto the existing dark coloured fascia;
- Fibreglass 'chalkboard' sign to be installed at ground floor level. The sign would measure 100mm x 380mm x 50mm (thick). The sign would be used as a black board.

#### Side (west) façade

- Painting existing fascia band at the top of the building cream colour;
- Handwritten sign to be installed within the centre blank window at second floor level. The sign will comprise the brickwork being painted grey with light coloured lettering;
- Handwritten sign to be installed on the existing fascia band at ground floor level of the building. This will comprise black individual letters (282mm high) being painted directly onto the existing dark coloured fascia;
- Fibreglass 'chalkboard' sign to be installed at ground floor level. The sign would measure 100mm x 380mm x 50mm (thick). The sign would be used as a black board.

- 3.2 At the time of submitting this application the new advertisements had not been erected. During the lifetime of this application the proposal has been amended in terms of detailed design of the advertisements and the new signage has subsequently been installed.
- 3.3 The most significant change to the plans submitted was the change in detailed design of the painted advertisement in the centre blank window on the west elevation. The sign would read "*Fine Ales & Cider*" instead of "*Circa 18<sup>th</sup> Century*". Other amendments comprise removal of the proposed lettering on the upper floor fascia on the west elevation and a change in colour pallet for the signage from yellow/gold to black/grey.
- 3.4 The advertisements subject of this application largely replace existing advertisements on the property. Existing illumination mechanisms were utilised for the fascia signs and hanging sign albeit with replacement light bulbs. Existing cowl lights, lanterns and menu case have been retained.
- 3.5 Seven small up-lighters (flood lights) are shown on the plans (identified as item 3) and have been installed. These are not intended to provide light to advertisements but serve to illuminate the front and side facades of the building. Consequently they do not need advertisement consent. Given the size of the light fittings they do not amount to development requiring planning permission.

#### **4.0 Consultation**

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 A site notice was displayed and letters were sent to local residents and the relevant ward Councillors on 5<sup>th</sup> December 2012.
- 4.3 The application was advertised in the local press on 12<sup>th</sup> December 2012.

#### **Written Responses received from Local Residents and Organisations**

- 4.4 At the time of writing 3 letters of objection had been received from occupiers of 1 Eliot Cottages and 14 and 15 Eliot Place. The following issues were raised:-
- The lighting and signage will have a detrimental visual effect on the conservation area;
  - The signage above ground floor level is unsympathetic, the design and wording of the signage is detrimental to the appearance of the building;
  - The lighting will create additional unnecessary light pollution;
  - The proposal will change significantly the appearance of this landmark building;
  - A condition should be attached requiring lighting to be switched off at 8:00pm;
  - Additional lighting will encourage people to stand outside and smoke;
  - Work has already started.

4.5 **Amenities Societies Panel:** No objection. Although item 7 could be better expressed with the actual building dates.

4.6 **Blackheath Society (initial comments):** We have no objection in principle to the application to improve the Hare and Billet signage. However, we have great difficulty evaluating the lighting element of the proposal, and would ask for further consultation about/consideration given to this sensitive aspect of the plans, which, we believe, have not so far been the subject of any consultation with local residents. On this basis, we object to the application as it stands

4.7 **Blackheath Society (final comments):** In view of your clarification of the lighting proposals unchanged we agree to withdraw our objection.

## 5.0 **Policy Context**

5.1 Circular 03/2007: Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

### National Planning Policy Framework (NPPF)

5.2 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. In summary, this states, that for a period of 12 months from publication of the NPPF decision makers can give full weight to policies adopted since 2004 even if there is limited conflict with the NPPF. Following this period weight should be given to existing policies according to their consistency with the NPPF.

5.3 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, 214 and 215 of the NPPF.

### London Plan (July 2011)

5.4 There are no London Plan policies relevant to advertisement applications.

### Core Strategy

5.5 There are no policies relevant to advertisement applications.

### Unitary Development Plan (2004)

5.6 The saved policies of the UDP relevant to this application are:

URB 9 Signs and Hoardings

## **6.0 Planning Considerations**

- 6.1 The considerations when determining an advertisement application are the impact that the proposal would have on public safety and the impact on the amenities of the area.
- 6.2 The recently published NPPF sets out national policy for all advertisements and replaced PPG19. The NPPF states *“poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”*.
- 6.3 In relation to public safety, local planning authorities must consider the effect upon the safe use and operation of any form of traffic or transport, including the safety of pedestrians. This would be in matters such as drivers behaviour and any confusion with any traffic signs or signals. The local planning authority should consider whether the advertisement by virtue of its siting or the advertisement itself is likely to be so confusing or distracting that it creates a hazard to or endangers people in the vicinity.
- 6.4 The only projecting sign is at first floor level consequently this would not harm pedestrian safety. As only static, low level illumination is proposed for the hanging and fascia signs it is not considered that the advertisements would distract drivers. Consequently the advertisements would not have any impact on public safety.
- 6.5 In considering impact on amenity local planning authorities must consider the visual impact of the advertisements on the immediate surrounding area including cumulative impact.
- 6.6 This site is located within a conservation area and the building is locally listed. Therefore any signage must respect the historic significance of the building.
- 6.7 There were previously a number of advertisements on the property, many of which have been replaced by the signage subject of this application. Renewal of signage is welcome as the previous signage was rather tired in its appearance. The opportunity has been taken to rationalise advertisements and clutter on the external façades of the building. The new ‘chalkboards’ at ground floor level are smaller than the previous chalkboards and the upper floor fascia board has been repainted which is a welcome improvement as this was previously in a poor state of repair. The replacement fascia signs at ground floor level are appropriate in their design. The second floor fascia sign and handwritten sign to be installed within the blank window on the west façade are new additions to the building. However, given their design and material it is not considered that they would detract from the appearance of the building.
- 6.8 Overall the amount and type of advertisements are considered to be appropriate for the purpose. The detailed design and colour pallet is acceptable. The advertisements do not compromise the character and appearance of the building or the visual amenity of the area.

- 6.9 The proposal has been discussed with the Councils Conservation Officer. It is considered that there is no adverse impact on the building as a heritage asset or to the character and appearance of the Blackheath Conservation Area as result of the replacement signage.
- 6.10 The advertisements are illuminated by cowl lights and lanterns which have been present on the building for a number of years and were used to illuminate previous signage.
- 6.11 Third party representations received have been duly considered. As discussed in paragraph 3.5 of this report the uplighters that have recently been installed on the building do not require planning permission or advertisement consent and have not therefore been considered as part of this application.
- 6.12 It is beyond the scope of this application to consider the impact of patrons smoking outside of the building.

## **7.0 Conclusion**

For the reasons set out in this report it is not considered that the advertisements cause harm to public safety or visual amenity. As such the proposal complies with the National Planning Policy Framework 2012, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and Policy URB 9 - Signs and Hoardings of the Unitary Development Plan (July 2004).

## **8.0 Summary of Reasons for Grant of Advertisement Consent**

The advertisements do not cause harm to public safety or visual amenity. As such the proposal complies with the National Planning Policy Framework 2012, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and Policy URB 9 - Signs and Hoardings of the Unitary Development Plan (July 2004).

## **9.0 RECOMMENDATION**

**GRANT CONSENT** subject to the following conditions:-

1. 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.
2. No advertisement shall be sited or displayed so as to:-
  - i) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military).
  - ii) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air.
  - iii) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. 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.

4. 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.
5. 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.

**Reason**

In accordance with Regulation 14 of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

**INFORMATIVES**

- (1) The Council engages with all applicants in a positive and proactive way through specific pre-application enquires and the detailed advice available on the Councils website. In this particular instance no pre-application advice was sought. However, the application was amended during the lifetime of the assessment.
- (2) The applicant is advised that this advertisement consent does not cover the installation of floodlights on the north and west elevations of the building. The floodlights do not serve to illuminate advertisements and cannot therefore be granted advertisement consent. It is not considered that the light fittings amount to development requiring planning permission. However, lighting levels should be kept to a minimum in order to prevent unacceptable light pollution for neighbouring residential occupiers and you should ensure compliance with 'Brightness of Illuminated Advertisements' – Technical Report Number 5 produced by The Institute of Lighting Engineers.