

Delegated Decision

Sign off Sheet

Ref. No:	DM/25/0549	Case Officer:	Catherine Cardin
Application Type:	Advertisement Application		
Proposal:	New sign worded 'Judges Close Pharmacy' positioned above the structural opening		
Site:	Judges Close Surgery, Judges Close, High Street, East Grinstead, West Sussex, RH19 3AA, ,		
Validation Date	4 Mar 2025	Overall Expiry Date:	4 Apr 2025
Pre-Commencement Conditions Required:		Pre-Com Conditions Date Agreed:	
Recommendation:	Permission	Recommendation Date:	28 Apr 2025
Target Date:	29 Apr 2025	Recommending Officer Signature:	Catherine Cardin

Date Legal Agreement Completed: (if applicable)		No of Representations:	0
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Signed and Agreed By:	Steven King	Date:	28 Apr 2025
Comments:			

MID SUSSEX DISTRICT COUNCIL

DM/25/0549

**Judges Close Surgery, Judges Close, High Street, East Grinstead, West Sussex, RH19 3AA,
New sign worded 'Judges Close Pharmacy' positioned above the structural opening
Jawad Mehroof**

SUMMARY OF REPRESENTATIONS

None received.

SUMMARY OF CONSULTEES

None received.

TOWN COUNCIL REPRESENTATIONS

No comment.

INTRODUCTION

Planning permission is sought for a new fascia sign above a structural opening.

RELEVANT PLANNING HISTORY

GR/277/78- Single storey extension comprising 2 relocated Surgeries and 1 new Surgery and Common Room, Health Visitors Room, improvements to facilities. Refused.

GR/008/79- Single storey extension comprising 2 relocated surgeries and 1 new surgery, common room, health visitors room, treatment room, enlarged reception and records storage, enlarged w.c. accommodation. Permission.

GR/031/80- Extension of surgery. Permission.

GR/205/84- First floor extension comprising additional surgery/treatment facilities. minor alterations to ground floor. Permission.

GR/183/92- First floor extension to existing surgery to provide additional office accommodation and health care facilities. Permission.

GR/004/94- Change of use of one room from general office to pharmacy. Permission.

GR/003/98- New glazed structure between existing doctors surgery and B1 industrial unit. change of use of ground floor of b1 industrial unit to doctors surgery. Permission.

GR/210/98- Change of use of first floor of cornmill from B1 to a doctors' surgery. Permission.

DM/25/0335- Proposed new entrance door to the pharmacy. Pending decision.

SITE AND SURROUNDINGS

Judges Close Pharmacy is located within the two-storey semi-detached Judge's Close Surgery building. The building is constructed from a mixture of brick, hanging tile and white render. The property is located in a back land position to the south of Judge's Terrace. The site is not within the East Grinstead Conservation Area, however it is within the immediate setting. It is within the setting of several listed buildings located to the north including Grade II listed Hampton House as well as various other buildings along Judges Terrace. A car park wraps around to the west side of the building.

The surrounding area has a mixture of commercial and residential uses. In terms of planning policy, the site lies within the Town Centre boundary, as defined in the District Plan and Neighbourhood Plan.

APPLICATION DETAILS

The proposal seeks to install a sign on the front (northern) elevation, which would be non-illuminated and located above a structural opening.

The fascia sign is to be sited some 2.1 metres from ground level. It is to measure some 2 metres in width, displaying the text 'Judges Close Pharmacy', and some 0.3 metres in height. The text colour of the fascia sign would be orange and blue, on a white background.

An application for planning permission at this property is also being considered under reference DM/25/0335. This full planning permission seeks to install a new entrance door to the pharmacy which this proposal would be above.

LEGAL FRAMEWORK AND LIST OF POLICIES

Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Using this as the starting point the development plan for this part of Mid Sussex consists of the District Plan, Site Allocation Development Plan Document (DPD) and East Grinstead Neighbourhood Plan.

National policy (which is contained in the National Planning Policy Framework and National Planning Policy Guidance) does not form part of the development plan, but is an important material consideration.

Mid Sussex District Plan

The District Plan was adopted at Full Council on 28th March 2018.

Relevant policies:

DP26 - Character and Design

DP34 - Listed Buildings and Other Heritage Assets

DP35 - Conservation Areas

Site Allocations DPD

The SADPD was adopted on 29th June 2022. It allocates sufficient housing and employment land to meet identified needs to 2031.

There are no relevant policies.

Neighbourhood Plan

East Grinstead Neighbourhood Plan made in 2016.

Relevant policies:

Policy EG3 - Promoting Good Design

Other Legislation

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Planning (Listed Buildings and Conservation Areas) Act 1990

Other Material Considerations

Mid Sussex District Plan 2021 - 2039 - Submission Draft (Regulation 19)

The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the

emerging plan according to the stage of preparation; the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and the stage 1 hearings were concluded on the 31st October 2024. There are unresolved objections to some of the Policies in the draft District Plan and as such, only minimal weight can be given to the Plan and this planning application has been assessed against the policies of the adopted District Plan.

Relevant policies:

DPB1 - Character and Design

DPB2 - Listed Buildings and Other Heritage Assets

DPB3 - Conservation Areas

Mid Sussex Design Guide Supplementary Planning Document (SPD)

The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of planning applications.

National Planning Policy Framework (NPPF) (December 2024)

ASSESSMENT

Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out that:

'3.—(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

(a) the provisions of the development plan, so far as they are material; and

(b) any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b)—

(a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;

(b) factors relevant to public safety include—

(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.'

Paragraph 141 of the NPPF states that:

'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'.

Impact on Visual Amenity

Policy DP26 of the Mid Sussex District Plan states:

'All development and surrounding spaces, including alterations and extensions to existing buildings and replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

o is of high quality design and layout and includes appropriate landscaping and greenspace;

- o contributes positively to, and clearly defines, public and private realms and should normally be designed with active building frontages facing streets and public open spaces to animate and provide natural surveillance;
- o creates a sense of place while addressing the character and scale of the surrounding buildings and landscape
- o protects open spaces, trees and gardens that contribute to the character of the area;
- o protects valued townscapes and the separate identity and character of towns and villages;
- o does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP27);
- o creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;
- o incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;
- o positively addresses sustainability considerations in the layout and the building design;
- o take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300+ unit) schemes will also normally be expected to incorporate a mixed use element;
- o optimises the potential of the site to accommodate development.'

Policy EG3 of the East Grinstead Neighbourhood Plan states:

'Policy EG3 - Promoting Good Design

Planning permission will normally be granted where development proposals meet the following criteria:

- a) *The form of the proposed development is proportionate and in keeping with the scale, height, materials and site coverage of the surrounding area;*
- b) *The layout of the proposed development respects the topography and character of the site, protects important landscape features and does not harm adjoining amenity;*
- c) *The proposal does not result in the loss of buildings or spaces that would have an unacceptable impact on the character of the area;*
- d) *The proposal ensures satisfactory means of access for vehicles and pedestrians and provides adequate parking, cycle storage and refuse facilities on site;*
- e) *The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, should be permeable and provide connectivity with neighbouring areas;*
- f) *New development must be inclusive and where appropriate make satisfactory provision for the safe and easy access for those with mobility impairment; and*
- g) *The design of new developments must result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour; and*
- h) *Proposals make provision for green infrastructure and biodiversity enhancement. Due to infrastructure constraints within the town, all new development proposals, which generate a net increase in traffic (excluding householder applications), will be required to contribute towards improving the walking and cycle network related to the development and be of a recognised acceptable standard.'*

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In considering whether to grant planning permission (or permission in principle) 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.'

Policy DP34 of the Mid Sussex District Plan states:

'Listed Buildings Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*

- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

Other Heritage Assets

Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.

The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.

Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.'

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states 'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of conservation preserving or enhancing the character or appearance of that area.'

Policy DP35 of the Mid Sussex District Plan relates to Conservation Areas and states that: '*Development will also protect the setting of the conservation area and in particular views into and out of the area. New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.*'

The site is located within East Grinstead Town Centre, where there is a variety of signage and shop front designs. The proposal is within the setting of the East Grinstead Conservation Area and within the setting of several Listed Buildings.

The proposed sign is to be of a simple design and would not be illuminated. It is considered to be of a scale and form that would not appear overly dominant and would appear proportionate to the host building.

Taking into account the above, the proposal is considered to have an acceptable impact upon visual amenity of the street scene and in terms of design and character. It would also preserve the setting of the Conservation Area and the nearby Listed Buildings. It is therefore considered to comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan, the Mid Sussex Design Guide and policy EG3 of the East Grinstead Neighbourhood Plan.

Public safety

Having regard to the consideration of public safety set out at Regulation 3(2)(b) (as amended) and the generality of 'any other relevant factors'. The relevant issue in respect to this application is the safety of highway users.

Policy DP21 of the Mid Sussex District Plan relates to transport and states that development proposals should protect the safety of road users and pedestrians.

The proposed sign is set back from the highway, positioned on the pharmacy building, and would not be illuminated. As such it is not considered to result in a highways safety hazard or have an adverse impact in relation to public safety. The proposal therefore accords with policy DP21 of the District Plan.

CONCLUSION

The proposed sign is considered to be appropriate in terms of the design and would not detract from the appearance of the surrounding area. The proposal is not considered to be harmful to public safety, and it

is not considered to be harmful to the setting of the Conservation Area or the setting of the Listed Buildings.

The proposal is therefore considered to comply with policies DP26, DP34 and DP35 of the Mid Sussex District Plan, policy EG3 of the East Grinstead Neighbourhood Plan, the Mid Sussex Design Guide, the provisions of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the relevant contents of the NPPF.

Decision: Permission

Case Officer: Catherine Cardin