

Signage



Our Ref: O115148, AV1A12680

Enquiries: Jacky Jurmann

8 May 2013

Vincenza Parisi
PO BOX 815
YORK WA 6302

Dear Vincenza

**APPLICATION FOR RETROSPECTIVE PLANNING CONSENT - BELLA CUCINA,
82 AVON TERRACE, YORK**

With reference to your planning application for retrospective approval of illuminated and flashing signage at your café, Bella Cucina located at Lot 5 (82) Avon Terrace, York, please be advised that your application does not meet the provisions of the York Local Planning Policies for Heritage Precincts and Places and Advertising Signage.

As you are aware, your property is located within the Central York Heritage Precinct and as such, any development must comply with the provisions of the Local Planning Policy – Heritage Precincts and Places and as your application is for signage must also comply with the provisions of the York Local Planning Policy – Advertising Signage.

The assessment of your application considering the provisions of the York Town Planning Scheme No. 2 and the policies indicates that there are a number of non-compliant factors associated with your signage proposal and whilst we understand the intentions of such, we cannot approve the design and placement of such. It is highly likely that the decision made over this application will set a precedent for future applications in the Central York Heritage Precinct, particularly for the main street and it is important to achieve a desirable outcome for all parties involved.

Council appreciates the contribution your business makes to the York economy and suggests that an acceptable outcome could be negotiated to achieve a desirable outcome by complying with the objectives of the previously stated policies.

The signage will not be recommended for approval as currently displayed for a number of different reasons associated with compliance with the objectives of the Heritage and Advertising Signage policies, including but not limited to:

- The signs are visually obtrusive in their current position with the lighting being seen from the opposite end of Avon Terrace;

- The signs do not enhance the existing heritage character of the street, nor the building on which they are located;
- There are more than one sign type on the frontage of the building;
- Illumination of the sign is particularly intense, resulting in an unacceptable level of glare;
- The signs are not discreet nor placed in a discreet position;
- Background colours are generally encouraged to be white or cream within this precinct;
- Rotating, flashing and internally lit signs are prohibited in this precinct; and
- Lighting is not an external source or spotlight.

As it stands, you are currently not complying with the provisions of the Scheme and could be subjected to fines, which is not the desired outcome of either party. As you have already purchased the signs, these signs could be adapted to be used in a more appropriate and subtle way, so have therefore provided you with some acceptable alternatives:

- Removal of the lighted roping and replacement with the use of spotlights. This is similar to what is already in place for the existing signage on the north wall.
- Removal of both of the illuminated signage with one being placed in the shop window.
- Changing of the illumination colours to a warm white and removal of the larger sign from the awning.
- Under no circumstances should the lights continue to flash.

Attachment 1 contains examples of illuminated advertisements that may be more appropriate to this area if you wish to use an alternative to what you have already purchased, including:

- The use lights, such as spotlights to illuminate signage.
- Subtle, warm light, internally illuminating letters of appropriately size, colour and font.
- Internally illuminated blocks of advertisement with an appropriate size, font and colour.

I would strongly advise you consult with Council's Planning Manager to develop a signage strategy for your business and before purchasing any further illuminated signage to ensure that you do not buy a non-complying sign, which cannot be approved, and therefore you cannot use.

As I have mentioned, your business is valued within the community of York and we do not wish to discourage you from operations, however it is vital that correct procedure and adherence is made toward our Planning Scheme and Policies. Council does not wish to create an undesirable precedent for future development.

If you have any further queries please don't hesitate to contact myself or Council's Manager of Planning Services, Jacky Jurmann at the Council Office on 9641 2233.

Yours sincerely

RAY HOOPER
CHIEF EXECUTIVE OFFICER

ATTACHMENT 1 – EXAMPLES OF SIGNAGE DESIGN WITH ILLUMINATION



