

<b>Application Number</b>	<b>21/01037/ADV</b>
<b>Site Address</b>	<b>Roundabout at Nunnery Way and Newtown Road, Worcester WR4 0SQ</b>
<b>Description of Development</b>	4 freestanding signs with coloured graphics to the front and powder coated posts to the reverse.
<b>Expiry Date</b>	7 January 2022
<b>Applicant</b>	Worcester City Council
<b>Agent</b>	Miss Katy Douglas
<b>Case Officer</b>	Tom Gabriel
	<a href="mailto:thomas.gabriel@worcester.gov.uk">thomas.gabriel@worcester.gov.uk</a>
<b>Ward Member(s)</b>	Warndon Parish South Ward
<b>Reason for Referral to Committee</b>	Council's own application
<b>Key Issues</b>	The principle of development and whether the proposal would have an acceptable impact upon public amenity and highway safety, in accordance with the Advertisement Regulations and the National Planning Policy Framework.
<b>Web link to application</b>	
<b>Recommendation</b>	<b>The Corporate Director of Planning and Governance recommends that the Planning Committee grants advertisement consent for the application subject to the conditions set out in section 9 of this report.</b>

## 1. Background

- 1.1 The application was registered on 12 November 2021 and is due for a decision on 7 January 2022.
- 1.2 The application has been referred to the Planning Committee as the Council is the applicant.

## 2. The site and surrounding area

- 2.1 The site is located within the Development Boundary for Worcester.

MAP

## **The application site**

- 2.2 The application site is in Warndon Parish South ward and comprises the roundabout at the junction of Nunnery Way and Newtown Road. The roundabout is surrounded on three sides by open fields with the Worcester Livestock Market on the south eastern side.

## **3. The proposals**

- 3.1 The proposal seeks advertisement consent for the display of 4 freestanding post-mounted signs with coloured graphics and text to the front and powder coated posts to the reverse.
- 3.2 Each of the signs would be an aluminium composite panel 1.5m wide, 550mm high, on 400mm high posts. The diameter of the posts would be 76mm, the sign would be 8mm thick, its face of 3M non- reflective scotch cal film of the required colours. The maximum height of the individual letters would be 400mm. The signs would be non-illuminated.
- 3.3 The application is accompanied by a full set of plans of the proposal.
- 3.4 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

## **4. Planning Policy**

- 4.1 The Town and Country Planning Act (Control of Advertisements) (England) Regulations 2007 establishes the legislative framework for consideration of this application.
- 4.2 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 enable Local Planning Authorities to control advertisements, when it is justified, in the interests of 'amenity' and 'public safety'. In this respect an advertisement application differs from other planning proposals as 'amenity' and 'public safety' are the only issues that can be controlled.
- 4.3 The control system is concerned with the visual effect on its surroundings of an advertisement. The relevant considerations for this purpose are the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features, which contribute to the distinctive character of the locality.
- 4.4 In assessing an advertisement's impact on 'public safety', Local Planning Authorities are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water, or in the air. Local Planning Authorities will therefore consider such matters as the likely behaviour of drivers of vehicles who will see the advertisement; possible confusion with any traffic sign or other signal; or possible interference with a navigational light or an aerial beacon.

## **South Worcestershire Development Plan**

- 4.5 The following policy of the SWDP is considered to be relevant to the proposal:

- 4.6 With regard to the display of advertisements, part xv of Policy 21 of the South Worcestershire Development Plan states:

*"Illuminated signage will only be permitted where lighting is unobtrusive or not considered to be harmful to the character and appearance of the site or surroundings. Consent will be granted for outdoor advertisements (including poster hoardings) provided the display will not adversely affect the amenities of the area or impact on public safety."*

## **Material Considerations**

### **1. National Planning Policy Framework**

- 4.7 The revised National Planning Policy Framework was updated on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied and is a material planning consideration in determining planning applications. All the policies in the NPPF constitute the Government's view of what sustainable development in England means in practice: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a high quality built environment with accessible local services that reflect the community's needs; and an environmental role, protecting and enhancing our natural, built and historic environment. Economic, social and environmental improvement should be sought jointly and simultaneously.
- 4.8 Paragraph 136 of the National Planning Policy Framework (2021) provides the following guidance on outdoor advertisements:

*"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".*

### **2. National Planning Practice Guidance**

- 4.9 On 6th March 2014 the Government also published National Planning Practice Guidance (NPPG) that has been updated in the meantime and comprises, amongst other matters: Adverts, Design, Determining a Planning Application and Use of Planning Conditions.

## **5. Planning History**

- 5.1 A16Q0071 Display of 4 no. 0.75m by 1.35m free standing post mounted sponsorship signs with coloured text and graphic detail to front of sign. Granted 20 October 2016.

## **6. Consultations**

- 6.1 Formal consultation has been undertaken in respect of the application. The following comments from the Highways Authority have been received in relation to the proposal and are summarised as follows:

- **Worcester City Council (Highways)** - The total sign face must not exceed 0.5 sqm and the sign must be located at least 2m from the edge of the metalled

carriageway or a road sign. It must be non- illuminated and made of non- reflective material.

- 6.2 Any comments received from other statutory and non-statutory consultees and interested third parties will be reported verbally at the meeting, subject to the date of receipt.
- 6.3 Members will have been given the opportunity to read all representations that have been received in full.
- 6.4 In assessing the proposal, due regard is given to local residents' comments as material planning considerations. Nevertheless, I am also mindful that decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

## **7. Planning Assessment**

- 7.1 The main issues raised by the application relate to the impact of the proposed signs on amenity and public safety.
- 7.2 The signage proposes a total of four non- illuminated advertisement signs on the roundabout to replace the existing signage.
- 7.3 By virtue of its limited size and non- illuminated nature and the fact that it is replacing the existing signs, the proposed signage will not have any adverse impacts upon the amenity of the area.

## **Access and Highway Safety**

- 7.4 In assessing an advertisement's impact on 'public safety', Local Planning Authorities are expected to have regard to its effect upon the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), on or over water, or in the air. Local Planning Authorities will therefore consider such matters as the likely behaviour of drivers of vehicles who will see the advertisement; possible confusion with any traffic sign or other signal; or possible interference with a navigational light or an aerial beacon.
- 7.5 The proposed signage complies with the requirements of the Highway Authority in terms of its size and height and distance from the highway, it being non- illuminated and being made of non- reflective material. Given this, it is considered that the signage would not result in any harm to public safety in terms of the safe use and operation of the surrounding roads. Having assessed the impact of the signs from all directions, I am satisfied that the signs would not compromise highway safety or result in confusion to drivers.

## **8. Conclusion and planning balance**

- 8.1 The following material planning issues are relevant to this application:
  - Impact on amenity
  - Impact on highway safety
- 8.2 For the above reasons, I consider that the proposals are acceptable and would comply with guidance in the National Planning Policy Framework and, insofar as it is a material consideration to this application, Policy SWDP21 of the South Worcestershire Development Plan.

8.3 I acknowledge all comments received as part of the consultation process and consider all material planning issues have been considered in the determination of this application. Having regard to the totality of the policies in the Framework, and subject to the consultee comments received, it is Officer opinion that there are no reasons to resist the application on grounds of public safety or amenity grounds. On the balance of the above, it is recommended that consent be granted for the proposed signs, subject to the conditions set out below.

## **9. Recommended conditions**

9.1 In the event that members resolve to grant advertisement consent the following conditions are recommended:

### **Standard 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—
  - (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.
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 the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**Reason:** - In the interests of highway safety and visual amenity, and in order to comply with the requirements of the Advertisement Regulations.

### **Additional Conditions and Reasons**

1. This consent expires at the end of a period of 5 years from the date of this notice. The advertisements hereby approved shall be removed no later than 5 years from the date of this consent.

Reason: In the interests of amenity and in accordance with policy SWDP21 of the South Worcestershire Development Plan 2016.

2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and associated documents and

the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission:

R29 Location Plans

R29 Photo

Current Sign Design

Worcester Sign Spec Size A

Reason: To ensure compliance with the approved scheme.