

PLANNING COMMITTEE – 30 MARCH 2021

Application No. 21/00091/ADV

Proposal : Erection of 4 hoardings, 6 flag poles and 15 airmesh banners fixed to Heras boundary panels (retrospective)

Location : Land at Lord Hawke Way and Bowbridge Road, Newark.

Applicant : Arkwood Developments – Mr Edward Langtry

Registered : 25 January 2021 **Target Date :** 22 March 2021
Extension of time agreed until : 02 April 2021

This application is being referred to the Planning Committee under the Scheme of Delegation as the applicant is a company owned by Newark and Sherwood District Council.

The Site

The site is located within the Newark Urban Area as defined within the Allocations and Development Management DPD (ADMDDP). It is also located within an area whereby the existing Newark Leisure Centre, YMCA and Gladstone House development is located.

Relevant Site History

Various applications exist on or near the site for residential and leisure development.

The Proposal

Proposal seeks retrospective advertisement consent for the erection of signs to the existing boundary hoardings, 6 flags on existing poles and 15 airmesh banners fixed to the Heras boundary panels (all non illuminated). The proposal is to advertise the proposed residential development.

Below shows details of the signs submitted for approval:

Timber hoarding signage

Location 1 on site location plan

Sign E - 3m (wide) x 1.8m (height)

Sign F – 3m (wide) x 1.8m (height)

Sign G – 3m (wide) x 1.8m (height)

Location 2 on site location plan

Sign H – 3m (wide) x 1.8m (height)

Sign I – 3m (wide) x 1.8m (height)

Sign J – 3m (wide) x 1.8m (height)

Location 3 on site location plan

Sign K – 3m (wide) x 1.8m (height)

Sign L - 3m (wide) x 1.8m (height)

Sign M – 3m (wide) x 1.8m (height)
Sign O – 3m (wide) x 1.8m (height)
Sign P – 3m (wide) x 1.8m (height)
Sign Q – 3m (wide) x 1.8m (height)

Location 4 on site location plan

Sign R – 3m (wide) x 1.8m (height)
Sign S – 3m (wide) x 1.8m (height)
Sign T – 3m (wide) x 1.8m (height)
Sign U – 3m (wide) x 1.8m (height)
Sign V – 3m (wide) x 1.8m (height)

Material is a rigid diabond 3mm laminated vinyl, secured to the existing timber hoarding.

Flag

Location 5 on site location plan

Sign A - 2m (height) x 1m (width)

Affixed to existing 6m white aluminium flag poles. The base of the flag will be 4m off the ground. 6 flags in total.

Heras fencing sign

Location 6 on site location plan

Sign B - 3.2m (wide) x 1.8m (height)

15 panels to be covered in a mesh material tied back to the existing Heras fencing.

List of plans/documents considered

The following plans are being considered:

Proposed site layout;

Signage plans for A, B, E, F, G, H, I, J, K, L, M, O, P, Q, R, S, T, U, V

Departure/Public Advertisement Procedure

72 neighbouring occupiers have been consulted on the application.

Planning Policy Framework

The Development Plan

Newark and Sherwood Amended Core Strategy DPD (2019) (ACS)

Spatial Policy 7: Sustainable Transport

Core Policy 9: Sustainable Design

NAP1: Newark Urban Area

NSDC Allocations and Development Management DPD (July 2013) (ADMDDP)

Policy DM5: Design

Material considerations

National Planning Policy Framework 2019

Consultations

Newark Town Council – No objection.

Nottinghamshire County Council Highways - The hoarding advertisement is proposed to be erected and displayed along both Bowbridge Road, which is highway maintained at public expense, and Lord Hawke Way, which is presently a private road. The Highway Authority has no objections to the proposal subject to a condition requiring no part of any sign projects over the public highway.

No letters of representation have been received from local residents/interested parties.

Comments from the Business Manager

Principle of Development

In line with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and paragraph 132 of the NPPF it is considered that the main issues in determining this application for advertisement consent to be related to amenity and public safety, taking account of cumulative impacts. The intentions of national policy are mirrored by Policy DM5 of the Allocations and Development Management DPD. Additionally, the NSDC Shopfronts and Advertisements Design Guide SPD provides guidance on acceptable design.

Impact upon Amenity

It is understood that the term 'amenity' to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. (PPG Paragraph: 079 Reference ID: 18b-079-20140306)

The justification text for Policy DM5 of the ADMDPD states that the impacts of advertisements in terms of visual amenity will be assessed by reference to criterion 4: Local Distinctiveness. Broadly this element of the policy seeks to ensure that new development reflects the character of the locality in terms of its scale, form and design.

Core Policy 9 of the Core Strategy and Policy DM5 of the Allocations and Development Management DPD relate to visual amenity by seeking to ensure the character and appearance of the surrounding area is preserved.

In assessing amenity the LPA should always consider the local characteristics and whether it is in scale and in keeping with the surrounding features. The plans submitted show the signage for the duration of the construction of the residential site. The signs are non illuminated and not located within a sensitive area. The area is currently being developed through a combination of leisure and residential development.

Therefore taking in to account the general character of the area and the cumulative impact of the signs, it is not considered that they would be harmful to public amenity. The proposal therefore would accord with Part 12 of the NPPF and the Council's Development Plan Documents.

Impact upon Public Safety

The PPG advises that at points where drivers need to take more care are more likely to attract public safety. Paragraph: 067 Reference ID: 18b-067-20140306

Policy DM5 of the ADMDPD states that the assessment of advertisement applications in terms of public safety will normally be related to the impact on highway safety. NCC Highways have commented on the application to state they have no objections to the proposal subject to the imposition of a condition. This condition relates to the hoarding signs, which should be on private land, with no projection over the highway from the signage. As the hoarding and signs are already in situ, it is not considered that this condition is relevant as it can be seen that the hoarding and signage is within private land. Therefore should Members resolve to approve the application, this condition is not deemed to meet the tests for reasonableness for imposition.

It is not considered that these signs, would result in a distraction to road users. Therefore it is considered that the safety of the public would not be compromised as a result of the signs.

Conclusion

On the basis of the assessment above, that the proposal complies with Core Policy 9 of the Core Strategy, Policy DM5 of the DPD, and paragraph 132 of the NPPF in terms of public safety and amenity and is in line with the national advertisement regulations.

Therefore, in considering all the material considerations of this case, a recommendation of approval to Members is proposed.

Recommendation

That advertisement consent is approved subject to the following conditions;

01

This consent shall expire at the end of a period of 5 years from the date of this consent.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

02

The advertisements hereby permitted shall not be displayed except in complete accordance with the following plan references;

Application Form for consent to display an advertisement received 02 February 2021;
Proposed site layout;

Signage plans for A, B, E, F, G, H, I, J, K, L, M, O, P, Q, R, S, T, U, V

Reason: So as to define this consent.

03

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.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisement Regulations) 2007.

04

No advertisement shall be sited or displayed so as to:

(a) endanger persons using the highway.

(b) obscure, or hinder the ready interpretation of, any traffic sign; 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: To comply with the provisions of the Town and Country Planning (Control of Advertisement Regulations) 2007.

05

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.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisement Regulations) 2007.

06

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.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisement Regulations) 2007.

07

Where an advertisement under these regulations is to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with the provisions of the Town and Country Planning (Control of Advertisement Regulations) 2007.

Note to applicant

01

The application as submitted is acceptable. In granting permission without unnecessary delay the District Planning Authority is implicitly working positively and proactively with the applicant. This is fully in accordance with Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

02

Building Works shall not project over the highway
No part of the proposed hoarding or its foundations, fixtures and fittings shall project forward of the highway boundary.

BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Preston on ext 5329.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk

**Lisa Hughes
Business Manager – Planning Development**