

## Development Management Report

Responsible Officer: Tracy Darke

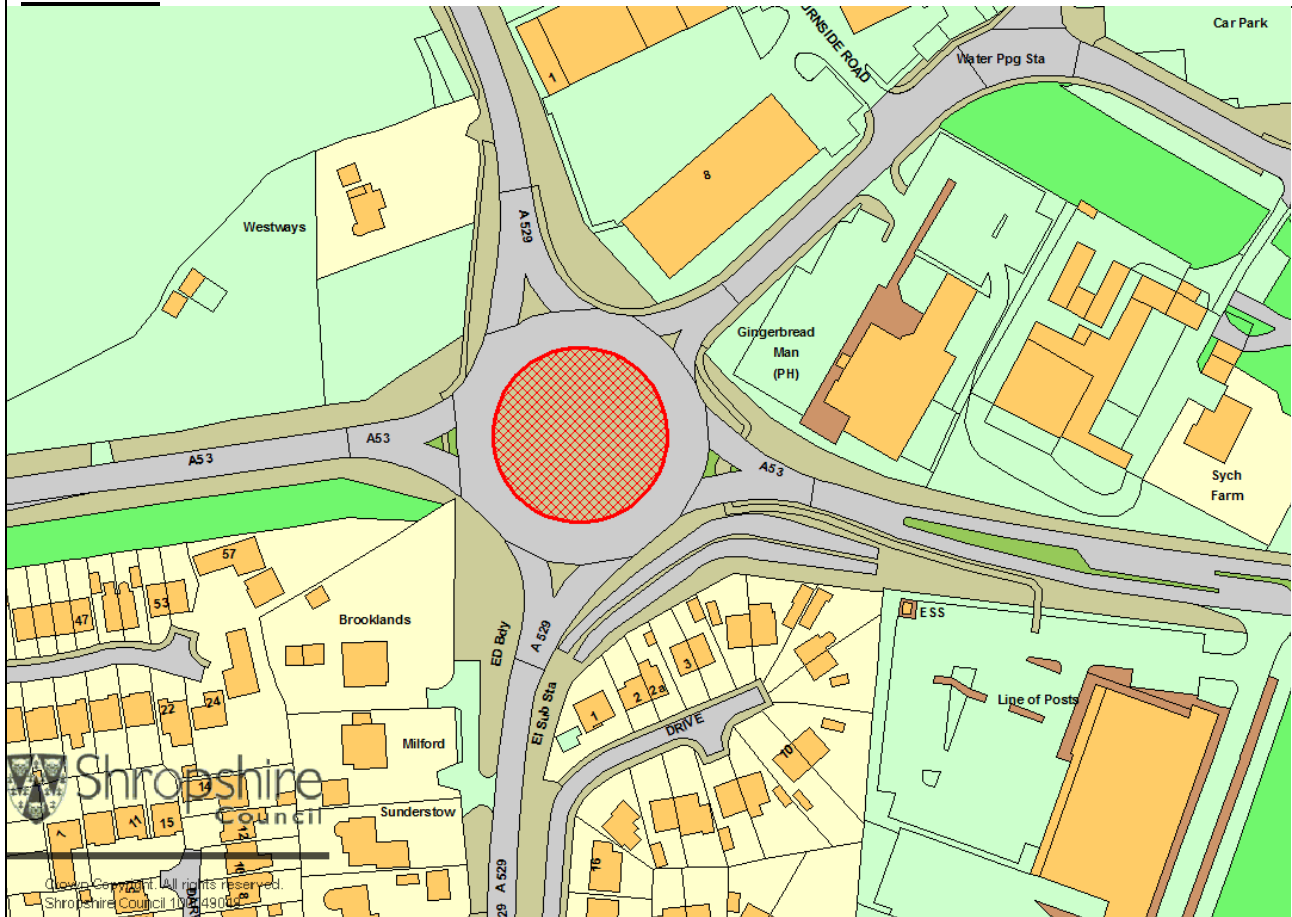
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### Summary of Application

<b><u>Application Number:</u></b> 22/03791/ADV	<b><u>Parish:</u></b>	Adderley
<b><u>Proposal:</u></b> Erect and display five sponsorship signs on the A53/A529 Adderley Road roundabout		
<b><u>Site Address:</u></b> Roundabout Junction A53/A529 Adderley Road, Market Drayton, Shropshire		
<b><u>Applicant:</u></b> CP Media on behalf of Shropshire Council		
<b><u>Case Officer:</u></b> Richard Denison	<b><u>Email:</u></b> <a href="mailto:planning.northern@shropshire.gov.uk">planning.northern@shropshire.gov.uk</a>	

**Grid Ref:** 366383 - 334827



**Recommendation: Granted Permission subject to the conditions set out in Appendix 1.**

## **REPORT**

### **1.0 THE PROPOSAL**

1.1 This is an advertisement application for the erection of five identical free standing sponsorship signs on behalf of Shropshire Council. The proposed signs will measure 1.2 metres wide by 0.55 metres tall and constructed from steel and aluminium with a powder coated finish with vinyl graphics applied. The sign will be attached onto two dark blue posts 450mm above ground level. The signs will be positioned on the roundabout facing traffic approaching from each direction. All sponsor plaques will be simple in design and the designs will be approved in writing by Shropshire Council. The minimum length of sponsorship is 12 months and the branding on the signs will remain constant during this period. Any existing signs will be removed.

### **2.0 SITE LOCATION/DESCRIPTION**

2.1 The existing large roundabout is located on the A53 bypass to the north of Market Drayton with the approach road from Adderley. The roundabout is grassed with a two small rises in the middle with 10 trees, together with black and white chevron signs and blue directional highway signs. There are four existing Shropshire Council sponsorship advertisement signs on the roundabout which were installed without advertisement consent. The roundabout is on one of the main approaches into Market Drayton and adjacent to a business park, livestock market and the Gingerbread public house.

### **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 This application is in relation to land owned by Shropshire Council which is not in line with a statutory function and therefore this application should be determined by committee.

### **4.0 COMMUNITY REPRESENTATIONS**

#### **4.1 Consultee Comments**

4.1.1 **Shropshire Council, Highways** - Shropshire Council as Highway Authority raises no objection to the granting of consent of the above-mentioned planning application. It is recommended that the applicant contacts Shropshire Councils Streetworks team to ensure that the necessary permission to work on the highway is sought. It is also recommended that the following condition is placed upon any permission granted

*Prior to the installation of the sponsorship signs a site inspection shall be undertaken with the Highways Authority to agree the layout of the signs in context with existing highway street furniture and landscaping. The agreed layout shall be submitted to the Local Planning Authority for approval and the sponsorship signs installed in accordance with the agreement. Any existing signs on the roundabout shall be permanently removed.*

*Reason: In the interest of highway safety and visual amenity.*

4.1.2 **Adderley Parish Council** would like to object to this planning application as it has concerns regarding drivers being distracted as they travel around this roundabout.

4.1.3 **Market Drayton Town Council** wish to support this planning application provided it does not interfere with the highway.

## 4.2 **Public Comments**

4.2.1 No public representations have been received.

## 5.0 **THE MAIN ISSUES**

- Background & Policy
- Impact on Public Safety
- Impact on Visual Amenity
- Other Matters

## 6.0 **OFFICER APPRAISAL**

### 6.1 **Background & Policy**

6.1.1 Local authority roundabout sponsorship or advertising schemes are now very common throughout the UK and Shropshire Council would like to offer local businesses the opportunity to advertise. Roundabout sponsorship is typically used by small to medium sized local business to raise their profile. It serves as a cost-effective way for them to promote themselves in high visibility locations for considerably less money than would otherwise be possible - helping boost the local economy. The income generated from advertising on Highway's assets will be reinvested in the Highways network.

6.1.2 The National Planning Policy Framework provides guidance on the display of advertisements, in particular paragraph 67 which states "*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*". This is reflected in policy CS6 of Shropshire's Core Strategy and policy MD2 of the Site Allocations and Management of Development (SAMDev) Plan.

6.1.3 This application has not been subject to any formal pre-application enquiry.

### 6.2 **Impact on Public Safety**

6.2.1 The existing roundabout is split between Adderley Parish Council the northern half and Market Drayton Town Council the southern half. Market Drayton Town Council supports the proposed application subject that it does not interfere with the highway, whilst Adderley Parish Council object as it has concerns regarding drivers being distracted as they travel around this roundabout.

6.2.2 The proposed signs will be set back from the edge of the roundabout and clear views will be available as traffic enters onto the roundabout. The signs will be simple and only include the name of the company advertising so that drivers can quickly recognise the company sign and are not distracted by lots of text/images. The Council Highways Manager is satisfied that the proposed signs will not be a significant distraction to drivers and that there would be no highway safety implications which could otherwise affect road users. Existing sponsorship signs have been installed on this roundabout for more than 10 years and officers have not received any complaints regarding highway safety concerns.

### **6.3 Impact on Visual Amenity**

6.3.1 The proposed signs are located on a roundabout which is adjacent to a built-up environment and will be visible to drivers as they approach the roundabout. The signs are modest in size 1.2 metres wide by 0.55 metres tall (total sign area of 0.6 sqm) and will be low to the ground. There are existing street structures including road names, directional signs, chevron barriers, lampposts, etc in and around the proximity of the roundabout. Due to the modest size and low profile of the signs they will not result in a significant visual impact on the street scene or character of the local area.

### **6.4 Other Matters**

6.4.1 Officers are aware that this roundabout and the surrounding grass verges have several existing unauthorised temporary style signs and banners. The Council Business Development Manager is aware of these signs and is liaising with Highways to have these removed.

## **7.0 CONCLUSION**

7.1 It is considered that the proposed signs will have no adverse impact on public safety and would have no significant adverse impact on the character and appearance of the site or the visual amenity of the locality. It is recommended that standard advertising conditions are attached to any approval notice issued. The proposed development meets the criteria of national guidance on advertisements and local plan policies CS6 and MD2.

7.2 In arriving at this decision, the Council has used its best endeavours to work with the applicants in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework.

## **8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL**

### **8.1 Risk Management**

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.

- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However, their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore, they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

## 8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

## 8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

## 9.0 FINANCIAL IMPLICATIONS

- 9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10.0 BACKGROUND

### 10.1 Relevant Planning Policies

Policies material to the determination of the Application. In determining this application, the Local Planning Authority gave consideration to the following policies:

**National Planning Policy Framework (July 2021):**

**Shropshire Council Core Strategy (February 2011):**

CS6 : Sustainable Design and Development Principles

**Site Allocations and Management Development Plan (December 2016):**

MD2 : Sustainable Design

**10.2 Relevant Planning History**

There is no relevant planning history.

**11.0 ADDITIONAL INFORMATION**

List of Background Papers - 22/03791/ADV

Cabinet Member (Portfolio Holder) - Cllr Edward Potter

Local Member - Cllr David Minnery and Cllr Ian Nellins

Appendices

APPENDIX 1 - Conditions

**APPENDIX 1**

***Conditions***

**STANDARD CONDITION(S)**

1. 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 requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007
2. 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 requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
3. 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: To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
4. 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 requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. 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

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

6. The development shall be carried out strictly in accordance with the approved plans and drawings

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

#### **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

7. Prior to the installation of the sponsorship signs a site inspection shall be undertaken with the Highways Authority to agree the layout of the signs in context with existing highway street furniture and landscaping. The agreed layout shall be approved in writing by the Local Planning Authority and the sponsorship signs installed in accordance with the agreement. Prior to the installation of the sponsorship signs any existing signs on the roundabout shall be permanently removed.

Reason: In the interest of highway safety and visual amenity.