

AGENDA ITEM



Committee and date

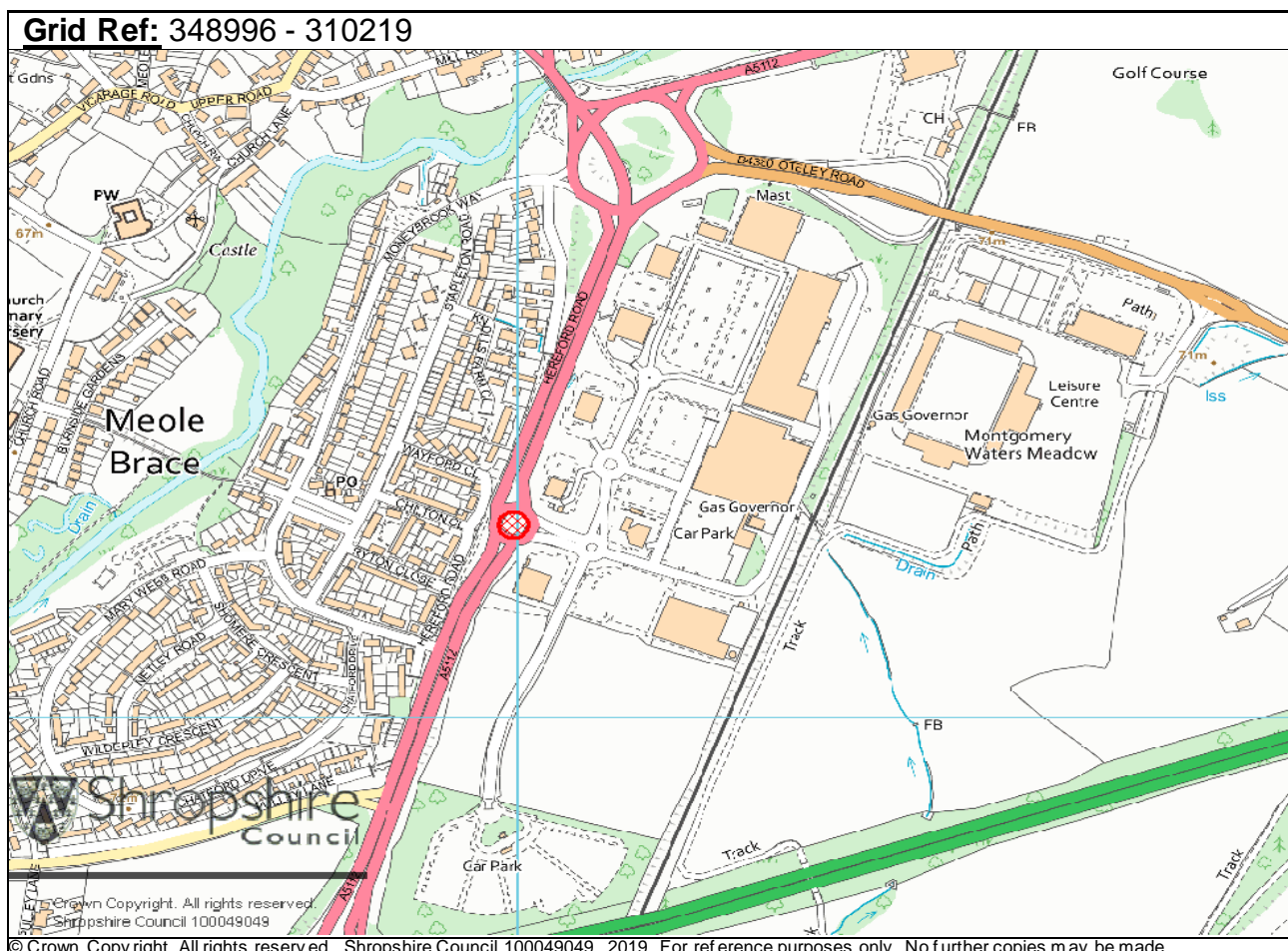
North Planning Committee
18th July 2023

Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 23/00782/ADV	Parish:	Shrewsbury Town Council
Proposal: Erect and display three sponsorship signs placed on the roundabout		
Site Address: Roundabout Junction A5112 Hereford Road, Meole Brace, Shrewsbury, Shropshire		
Applicant: CP Media on behalf of Shropshire Council		
Case Officer: Richard Denison	Email: richard.denison@shropshire.gov.uk	



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

REPORT

1.0 THE PROPOSAL

- 1.1 This is an advertisement application for the erection of four identical free standing sponsorship signs on behalf of Shropshire Council. The proposed signs will measure 600mm wide by 375mm 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 300mm 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.

Amendments

- 1.2 An amended specific plan has been received to reduce the width of the sign by 200mm and the height by 125mm to reduce the visual impact.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The roundabout is at the entrance into the Meole Brace Retail Park and for traffic heading from the A5 to the south towards the town. The roundabout is slightly raised with grass and tree planting towards the centre. Shrubs are located underneath and around the chevron signs, whilst the remainder of the roundabout is grass. This is a modest sized roundabout which is approximately 30 metres in diameter. The roundabout has previously been approved for three sponsor ship signs.

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** - No objection is raised on highway safety grounds subject to a site inspection by highways officers prior to the installation and removal of any existing unauthorised signs.

- 4.1.2 **Shrewsbury Town Council** - The Town Council object to this application on the basis that the new signs proposed are considerably larger than the existing ones given that when Shrewsbury Town Council originally applied for planning permission in 2011, they were told that this was the original signs were largest they could be. There were also objections to the considerable increase in the number of signs at each site and the potential distraction this could create to drivers. Finally, concerns were raised about the combination of larger and an increased number of signs on the visual amenity of the roundabout given the conservation status of the town.

4.1.3 **Shrewsbury Civic Society** objects to this application. The proposed signs are quite large and there are too many of them. They will give a cluttered appearance to the road junction and are an unnecessary visual distraction.

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

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 Advertisement consent was previously granted in July 2011 for Shrewsbury Town Council to erect and display 92 sponsorship signs at 34 locations throughout Shrewsbury (ref. 11/01825/ADV). The approved signs measured 600mm wide by 375mm tall and were constructed from a poly carbon board attached onto two dark posts 200mm above ground level. This application approved three signs on the roundabout subject to this current application.

6.1.3 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.

6.1.4 This application has been subject to informal pre-application discussions between the sign company, the Council Business Development Manager, the Highways Manager, and the case officer.

6.2 **Impact on Public Safety**

6.2.1 Shrewsbury Town Council and the Shrewsbury Civic Society have raised concerns that the number signs on the roundabout have the potential to cause a distraction to drivers. Officers acknowledge that this application will increase the number of previously approved signs from three to four, although the signs are

positioned to be viewed straight in front of the driver as they approach the roundabout. Each of the signs will be identical and they will be viewed in isolation from one another at each of the roads entering the roundabout. The proposed signs will be set back from the edge of the roundabout and clear views are available of traffic on or entering the roundabout. 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. A safeguarding condition is proposed to remove any existing unauthorised signs.

6.3 Impact on Visual Amenity

6.3.1 Shrewsbury Town Council and Shrewsbury Civic Society have raised concerns that that due to the size and number of signs on the roundabout they will result in a cluttered appearance and impact on visual amenity given the conservation status of the town. However, this application will not increase the number of previously approved signs and amended plans have been received to reduce the size of the signs from the originally submitted 800mm wide by 500mm tall to 600mm wide by 375mm tall which was previously approved. This application will now regularise the existing signage on the roundabout which are small and low to the ground. Reference has been made to the conservation status of the town although the roundabout is not within or adjacent to a Conservation Area. Due to the modest size and low profile of the signs officers consider that they will not result in a significant visual impact on the street scene or character of the local area.

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.

7.3 The recommendation is therefore one of approval subject to the conditions as outlined in Appendix 1 attached to this report.

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

11/01825/ADV - Erect and display 92 Shrewsbury Town Council sponsorship signs at 34 locations. Granted 1st July 2011.

11.0 ADDITIONAL INFORMATION

List of Background Papers - Planning Application 23/00782/ADV

Cabinet Member (Portfolio Holder) - Cllr Chris Scofield

Local Member - Cllr Tony Parsons & Cllr Rosemary Dartnall

Appendices

APPENDIX 1 - Conditions

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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.