

REPORT

1.0 THE PROPOSAL

- 1.1 This is an advertisement application for the erection of three identical free standing sponsorship signs on behalf of Shropshire Council. The proposed signs will measure 800mm wide by 500mm tall and constructed from steel and aluminium with a powder coated finish with vinyl graphics applied. The signs will be attached onto two dark blue posts 300mm above ground level. The signs will be positioned on the roundabout facing approaching traffic. All sponsor plaques will be simple in design and the designs will be approved in writing by Shropshire Council.

2.0 SITE LOCATION/DESCRIPTION

2.1



- 2.2 The diameter of the roundabout is approximately 20m. The roundabout is grassed and currently has three smaller 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 Comment

- 4.2 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 and there appears to be a large amount of traffic islands around the town proposed for signage. There were also objections on the potential distraction this could create to drivers and cyclists. 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.

4.3 SC Highways: 03.08.2023

Further to previous highway comment submitted in relation to the above, I can confirm that Shropshire Council as Highway Authority have no objection to the attached proposals as the number of signs have been reduced and the size of the signs 800mmx500mm are acceptable for the size of the roundabout and taking on board the applicants comments.

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

4.4 SC Highways: 05.07.2023

Shropshire Council as Highway Authority raises no objection to the granting of consent of the above mentioned planning application. However, would prefer the number of signs to be reduced or the overall size of the signs due to the size of the roundabout.

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.

4.5 Public Comments

4.6 No public representations have been received.

5.0 THE MAIN ISSUES

5.1 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should exercise control over advertisements only in the interests of 'amenity' and 'public

safety'. The main issues relevant for consideration under this officer report therefore are:

- Impact on amenity;
- Impact on public safety;

6.0 OFFICER APPRAISAL

6.1 Amenity

6.1.1 The National Planning Policy Framework at paragraph 136 recognises that the quality and character of places can suffer when advertisements are poorly sited and designed. The National Planning Practice Guidance states that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. This is reflected in Shropshire's Core Strategy policy CS6 and policy MD2 of the Site Allocations and Management of Development (SAMDev) Plan.

6.1.2 The proposed number of signs have been adjusted during the course of the consideration of this application in response to the comments from the Highway team. While the size of the signs have not been reduced, the number of proposed signs have been reduced from four to three. With this amendment in number, the proposed signs are considered proportionate to the size of the roundabout and would not harm the quality and character of the area.

6.2 Public Safety

6.2.1 Shrewsbury Town Council have raised concerns over the size and number of the signs and the potential distraction to drivers and cyclist. SC Highways team has raised no objections on highway safety implications. It is therefore considered visibility for road users and pedestrians would not be compromised by the proposals to warrant a refusal of the scheme. A safeguarding condition is proposed to remove any existing unauthorised signs.

7.0 CONCLUSION

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.

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, i.e. written representations, hearing or inquiry.
- The decision may be 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 made a) promptly and b) in any event not later than six 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 gives 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 1990.

9.0 Financial Implications

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

10. 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

CS17 : Environmental Networks

Site Allocations and Management Development Plan (December 2016):

MD2 : Sustainable Design

10.2 Relevant Planning History:

None relevant

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RVJBLGTDHE600>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Cabinet Member (Portfolio Holder) - Councillor Chris Schofield

Local Member

Cllr Ted Clarke

Cllr Tony Parsons

Cllr Rosemary Dartnall

Appendices

APPENDIX 1 - Conditions

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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, drawings and documents as listed in Schedule 1 below.

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.