

# AGENDA ITEM



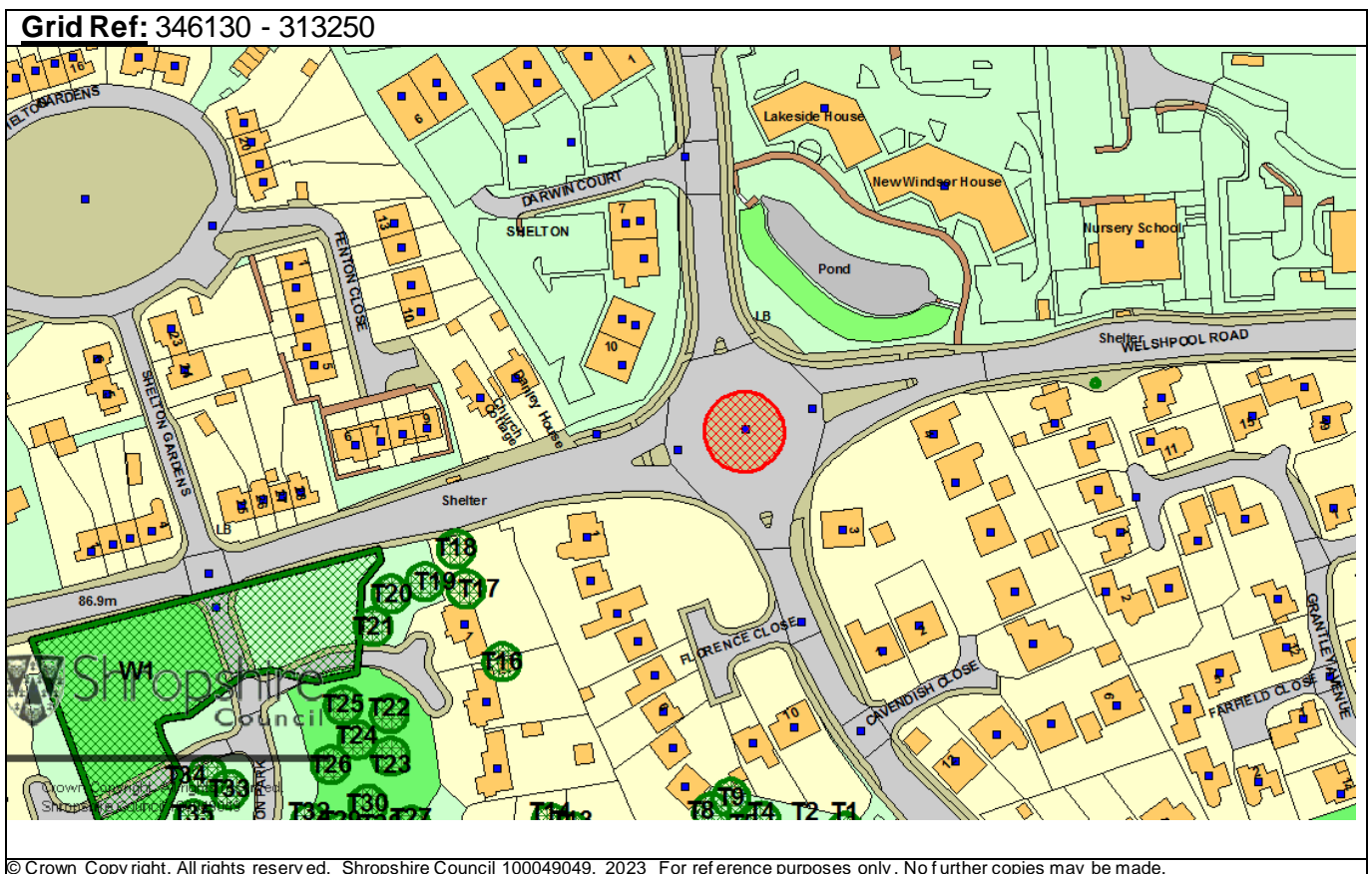
Committee and date  
NORTHERN  
10 October 2023

## Development Management Report

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

### Summary of Application

<b>Application Number:</b> 23/02351/ADV	<b>Parish:</b> Shrewsbury Town Council
<b>Proposal:</b> Erect and display two sponsorship signs placed on the roundabout (amended description)	
<b>Site Address:</b> Welshpool Road/Somerby Drive/Clayton Way Roundabout Shrewsbury	
<b>Applicant:</b> CP Media	
<b>Case Officer:</b> Jane Raymond	<b>email:</b> jane.raymond@shropshire.gov.uk



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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 This is an application for advertisement consent to erect and display two identical free standing sponsorship signs on behalf of Shropshire Council on a roundabout near to Oxon Business Park.
- 1.2 The proposed signs will measure 800mm wide by 500mm tall and will be constructed from steel and aluminium with a powder coated finish with vinyl graphics applied. The signs will be positioned 300mm above ground level attached to two 800mm high dark blue posts.
- 1.3 The signs will be simple in design, with the detailed design to 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.
- 1.4 An amended site plan has been received to reduce the number of signs from the four initially applied for, to two signs. This alteration has been made to reduce the visual impact and cluttered appearance.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is a small roundabout on Welshpool Road close to Oxon Business Park. It measures approximately 22 metres in diameter. The centre of the roundabout is landscaped with four small trees plus shrubs and ornamental plants.
- 2.2 There are 3 existing smaller sponsorship signs on the roundabout in addition to 4 larger directional chevron signs.
- 2.3 The signs will be positioned on opposite sides of the roundabout facing traffic from the east and west approaching along Welshpool Road.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The proposal does not comply with the scheme of delegation as set out in Part 8 on the Shropshire Council Constitution as the application is in relation to land owned by Shropshire Council for a proposal that is not in line with a statutory function.

### 4.0 Community Representations

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## 4.1 Consultee Comment

- 4.1.1 **SC Highways:** *Shropshire Council as Highway Authority raises no objection to the granting of consent of the above mentioned planning application on the assumption that the proposed size of the signs are suitable for the surrounding conditions and can be accommodated safely. 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.*

## 4.2 Public Comments

- 4.2.1 **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.*

## 5.0 THE MAIN ISSUES

Background and Policy  
Impact on Public Safety  
Impact on Visual Amenity

## 6.0 OFFICER APPRAISAL

### 6.1 Background and 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 businesses to raise their profile. It serves as a cost-effective way for them to promote themselves in highly visibility locations for considerably less money than would otherwise be possible - helping boost the local

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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 advert consent approved three signs on the roundabout the subject of 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.

## 6.2 Impact on Public Safety

6.2.1 The signs will be 800mm wide by 500mm tall on 800mm high posts compared to the existing signs which are 600mm wide by 375mm tall on 575mm high posts. Shrewsbury Town Council has raised concern that the number of signs and the increased size compared to the existing have potential to cause a distraction to drivers and cyclists. The application when first submitted was for 4 signs but following a request to reduce the size and number of the signs the applicant has agreed to reduce the number of signs to 2 but has not reduced the size.

6.2.2 The number of signs is now one less than previously approved for this roundabout but slightly larger. The Council Highways Manager (commenting on the application for 4 signs) had no objection on Highway safety grounds to the proposed signs subject to the imposition of a condition requiring the exact location, prior to installation, to be agreed with the Highway Authority and requiring the existing signs to be removed.

## 6.3 Impact on Visual Amenity

6.3.1 Shrewsbury Town Council has also raised concerns regarding the impact on visual amenity due to the increased number of signs in combination with the larger size. As referred to at 6.2.1 the applicant has reduced the number of signs from 4 to 2 (one less than the existing) but has not reduced the size of the signs.

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- 6.3.2 It was considered that the provision of 4 larger signs (as first submitted) or 3 signs (the same number but larger than the existing) would add too much clutter to this prominent and attractively landscaped roundabout. Although situated close to Oxon Business Park, it is well landscaped at the boundaries with the highway and the other side of the roundabout is a residential area. In this context it was considered that 3 or 4 larger signs would have an adverse impact on the visual amenity of the area.
- 6.3.3 Now that the number of signs has been reduced to 2 that will be on opposite sides of the roundabout, and due to the landscaping in the centre, it is considered that the proposed signs will not be viewable at the same time from most locations around the roundabout (both by pedestrians and drivers). This will help reduce any cumulative impact and ensure that the proposal does not result in a cluttered appearance.

## 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.
- 7.2 It is recommended that the application is approved subject to the recommended conditions within appendix A.

## 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.

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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

Relevant Planning Policies

**Central Government Guidance:**  
National Planning Policy Framework

**Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:**  
CS6, CS8 and MD2

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## 11. Additional Information

### List of Background Papers

23/02351/ADV - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RVJBSWTDHEK00>

Cabinet Member (Portfolio Holder): Councillor Chris Schofield

Local Member: Councillor Alex Wagner

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);

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(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 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.