

Case Officer: Lewis Knox

Recommendation: Approve

Applicant: Crest Nicholson Midlands

Proposal: Retention of two signs - one V sign and one Gantry sign

Expiry Date: 8 November 2019

1. APPLICATION SITE AND LOCALITY

1.1. The site is located to the south of Bodicote village. Cotefield Nurseries and Cotefield Business Park lie to the south of the site. The site is accessed off the western side of the A4260. The advertisement relates to a residential development by Crest Nicholson which has largely been built out with a few units remaining available for purchase.

2. DESCRIPTION OF PROPOSED ADVERTISEMENT(S)

2.1. The application relates to the retention of 2 advertisement boards for the purpose of promoting the Crest Nicholson site. The signage is non-illuminated.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>
14/02156/OUT	95 No. New Homes
18/00193/REM	Reserved matters application to 14/02156/OUT - for appearance, landscaping and layout (including the layout of the internal access roads, footpaths and cycleways) for 37 dwellings

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **23 October 2019**, although comments received after this date and before finalising this report have also been taken into account.

5.2. No comments have been raised by third parties

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. **Bodicote Parish Council** – No comments or objections

CONSULTEES

- 6.3. **Oxfordshire County Council Highways** – Raised no objections

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for advertisement consent must be determined in accordance with the development plan and any other relevant factors.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment

- 7.3. Other Material Planning Considerations

- The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) – "The Advertisement Regulations"
- National Planning Policy Framework (NPPF) in particular Paragraph 67
- Planning Practice Guidance (PPG)

8. APPRAISAL

- 8.1. Regulation 3 of the Advertisement Regulations limits the Local Planning Authority's powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

Amenity

- 8.2. Regulation 3(2a) of the Advertisement Regulations 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.*
- 8.3. Paragraph 132 of the NPPF recognises that: *The quality and character of places can suffer when advertisements are poorly sited and designed.* However it goes on to state that: *Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*
- 8.4. The signage is of a size and in a location that is not unusual in terms of the context for this type of development. It has been designed to compliment the existing

signage relating to the development and is proposed to be located either side of the vehicular access gateway into the development. Whilst the number of signs proposed may cause a proliferation of advertisements in the vicinity of the development, much of the surrounding advertisements are very temporary in nature and will be removed by summer 2020.

- 8.5. The signs proposed in this application were requested to be up for 5 years which is considered to be appropriate for this kind of sign given that it is still the early stages of development of the site. Once the last house has been sold then these signs would become unnecessary and so a proviso will be added to the time condition which states these should be removed following the sale of the final dwelling.
- 8.6. The scale of the signage is appropriate with the proposed location and would not detract from the character and visual amenities of the locality and of the development itself. The site is not within a Conservation Area and there are no listed buildings within the vicinity of the site. It is therefore considered to be in accordance with paragraph 132 of the NPPF relating to amenity.

Public Safety

- 8.7. Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.
- 8.8. It is not considered that the proposed signage would have a dangerous impact upon the users of the road network. Furthermore, the Local Highway Authority raised no objections to the proposals and advises that they are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view. The proposed signage is therefore in accordance with the provisions of paragraph 132 of the NPPF relating to public safety.

9. CONCLUSION

- 9.1. The proposed signage will only be required at the site until the last remaining units have been sold and is appropriate for the use and location. It will not cause a detriment to the visual amenities of the locality and will not cause an increased danger to public safety and should therefore be granted advertisement consent.

10. RECOMMENDATION

That consent is granted, subject to the following conditions:

1. This consent to display advertisements shall expire at the end of 5 years, beginning on the date this consent was granted or after the sale of the final dwelling on the site to which this sign relates whichever occurs sooner.

Reason - To comply with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the information contained within the application form and the following approved plans: "Crest Nicholson – Iron Stone Place Exterior Signage", Site Location Plan,

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. 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 Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

4. 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 provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

5. 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 Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

6. 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 Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

7. Where an advertisement is required under the Advertisement 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 provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Case Officer: Lewis Knox

DATE: 07.11.2019

Checked By: Paul Ihringer

DATE: 8/11/19
