

Case Officer: Emma Whitley

Recommendation: Approve

Applicant: Mr F Pereira

Proposal: Erection of timber signboard

Expiry Date: 24 July 2020

1. APPLICATION SITE AND LOCALITY

1.1. The application relates the retrospective erection of a timber signboard located fronting Langford Lane, approximately 0.5km from the village of Wendlebury.

2. DESCRIPTION OF PROPOSED ADVERTISEMENT(S)

2.1. Advertisement consent is sought for a timber signboard; the signboard is 1.5m above the ground, 2x5m wide and an absolute height of 2.2m. The logo proposed on the sign is proposed to measure 2.06m x 0.22m. The advertisement consent is sought for a period of 5 years; dating 1 July 2020 to 1 July 2025.

3. RELEVANT PLANNING HISTORY

3.1. There is no planning history directly relevant to the proposal.

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 **13 July 2020**, 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. WENDLEBURY PARISH COUNCIL: **No comments or objections**

CONSULTEES

6.3. LOCAL HIGHWAYS AUTHORITY (OCC): **No objections** and made the following comments:

The proposals are unlikely to have any adverse impact upon the local highway network from a traffic and safety point of view, therefore I offer no objection.

Please note, if works are required to be carried out within the public highway, the applicant shall not commence such work before formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and Oxfordshire County Council.

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 132
- 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 retrospective signage is a wooden appearance, which is sympathetic and consistent with the scale of the surrounding fencing and wider countryside. The sign does not appear incongruous to the immediate surrounding area.

8.5. It is therefore considered that the proposal is acceptable and complies with the provisions of paragraph 132 of the Framework relating to the interests of amenity.

Public Safety

- 8.6. 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.
- 8.7. The sign is not located near a junction or an area that has the potential to obscure views of transport signage or equipment, or hinder the operation of any device used for security purposes. The sign is located close to the adjacent Langford Lane. Although this is the case, the signage does not obstruct any views, it will not have any changes in display and does not resemble official traffic signs or signals. It is therefore unlikely that it will cause significant harm to the users of the road. Further to this, the Local Highways Authority has not offered an objection to this application.
- 8.8. It is therefore considered that the signage complies with the provisions of paragraph 132 of the Framework and is therefore acceptable in terms of public safety.

9. CONCLUSION

- 9.1. The signage does not result in significant harm to the visual amenity of the locality or public safety, and therefore would be in accordance with Government guidance within the NPPF. For these reasons, the application for advertisement consent should be granted planning approval.

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.

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: drawing numbers 6195.80 and drawing number 6195.75.

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: Emma Whitley

DATE: 21/07/20

Checked By: Paul Ihringer

DATE: 22/7/20
