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Cherwell District Council
Bodicote House
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Banbury
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FAO Rebekah Morgan

Date: 04 February 2022

Our ref: 62049/01/IAN/AVi/20555563v1

Your ref: PP-10525254

Dear Rebekah,

Wendlebury Road, Chesterton: Bicester Gateway – Application for Advertisement Consent

On behalf of our client, David Lloyd Leisure Ltd ('DLL'), we enclose an application for advertisement consent for the display of five advertisements at the approved new leisure club, tennis courts, tennis court enclosure, external pool, terrace areas and associated parking and landscaping on land fronting Wendlebury Road to the South of Bicester Town Centre.

Application Submission

The application, which has been submitted via the Planning Portal (Ref. PP-10525254), comprises the following information:

- 1 Completed application form for advertisement consent; and
- 2 Proposed Indicative Signage Details (ref. 2018-260-A-PL-97-020).

The requisite application fee £132 (along with the Planning Portal Service Charge of £25) has been paid via the Planning Portal.

Proposal

Advertisement consent is sought for five external advertisements across the recently approved new David Lloyd Club (application ref. 19/01740/HYBRID). Consent is sought for two totem signs which will be positioned at the entrance to the car park, on the corner of Wendlebury Road and the Thames Water Access Road, and on the south east corner of the car park which can be viewed travelling north along Wendlebury Road. These adverts will display David Lloyd's logo and will be internally illuminated. It is proposed that the static internal illumination to face of sign is controlled in line with other club lighting circuit operating when dark, between the hours of 6.30 am and 11.00pm when the club is open.

Advertisement consent is also sought for three other signs to be displayed on three elevations of the consented club building; one on the northern elevation, one on the western elevation and one on the southern elevation. The signs will be simple in nature, only displaying the David Lloyd logo in black. These signs will be illuminated by light acting as halo around each letter/character.

Planning Policy

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the “Regulations”). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the Development Plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2021 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 of the National Planning Policy Framework (NPPF) advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. As described in the National Planning Practice Guidance (NPPG) the regime is a “lighter touch” than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

The Development Plan for the area consists of the Adopted Cherwell Local Plan 2011-2031 Part 1 (July 2015), the Saved Policies of the Adopted Cherwell Local Plan (1996) and the Saved Policies from Oxfordshire County Council’s Minerals and Waste Local Plan 1996. The Cherwell Development Plan does not contain any specific policies in relation to advertising.

Cherwell Local Plan Policy ESD15: ‘The Character of the Built and Historic Environment’ requires new development to contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness

Planning Considerations

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.

Paragraph 136 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.*

The David Lloyd site is located in an area designated for new employment uses and is immediately adjacent to an existing retail park to the north. This commercial area is appropriate for advertisements of this nature and so will be in keeping with the existing area. There are other similar illuminated signs in the adjacent retail park. . This level of illumination proposed is also acceptable and not excessive for the commercial location. The proposed signage is not considered to demonstrably harm the visual amenities of the locality and therefore complies with the provisions of the NPPF relating to visual amenity.

When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination is controlled to prevent distraction from the driving task. 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.

The proposed adverts on the elevations of the main David Lloyd building will not be distracting to drivers as they will be projecting over the car park of the leisure club where drivers will already be driving slowly. The totem sign which can be viewed travelling north along Wendlebury Road is located on a section of the road

where it is mostly straight and is relatively small in size. Therefore, the proposed signage is not considered to present a risk to public safety or highway safety due to its scale, luminance and position in relation to the highway.

Conclusions

The proposed signage is consistent with the intent of the Council's objectives set out in Local Plan Policy ESD15 and National Planning Policy. It will not have an adverse impact on the character and amenity of the area or the safety of pedestrians and road users. It would result in an enhancement of the existing building and will not have an adverse impact on the setting of the conservation area.

We trust that the enclosed documents and drawings provide sufficient information to validate and determine this application. If you have any queries in the meantime, please do not hesitate to contact me.

Yours faithfully,



Anna Vincent
Planner