

**Case Officer:** Tomaz Akhter

**Recommendation:** Approve

**Applicant:** KAM Project Consultants

**Proposal:** 3 No 4m tall internally illuminated totems

**Expiry Date:** 20 December 2023

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## **1. APPLICATION SITE AND LOCALITY**

The application site is on land to the southwest of Bicester and is the location of a business park. The business park homes a variety of use including hotel and leisure.

## **2. DESCRIPTION OF PROPOSED ADVERTISEMENT(S)**

The application proposes 3no internally illuminated fascia signs.

The proposed fascia signs would measure 1.3 m (w) x 4m (h). The signs will be made up of aluminium with lettering (brand name) and would be internally illuminated to give a halo effect. Each sign would be positioned on a separate location of the site.

## **3. RELEVANT PLANNING HISTORY**

There is no planning history directly relevant to the proposal.

## **4. PRE-APPLICATION DISCUSSIONS**

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

## **5. RESPONSE TO PUBLICITY**

This application has been publicised by way of a Site Notice displayed near the site, expiring **22 December 2023** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **22 December 2023**.

No comments have been raised by third parties.

## **6. RESPONSE TO CONSULTATION**

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**

Chesterton Parish Council – No comments made

### **OTHER CONSULTEES**

Highways –

Whilst no official comments were recorded by the highways officer, a OCC drop-in session was used to get verbal communication. The highways officer had no objections to the proposal.

## 7. RELEVANT PLANNING POLICY AND GUIDANCE

Planning law requires that applications for advertisement consent must be determined in accordance with the development plan and any other relevant factors.

The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- ESD15 - The Character of the Built and Historic Environment

#### 7.1. 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

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

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.*

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.*

The proposal includes three illuminated signs, each mounted on a separate elevation of the building. Given the nature of the site, the signs would not appear overly prominent.

Having regard to the context of the site and the scale, siting, materials and appearance of the signs, the proposal is considered acceptable in terms of its visual impact.

## Public Safety

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 signage is considered not to present a risk to public safety or highway safety, with regards to its scale and position in relation to the highways. The proposed sign complies with the provisions of the NPPF relating to public safety.

## **9. CONCLUSION**

By reason of its design and siting, the proposal would not adversely affect public safety or local visual amenity. Therefore, the development complies with Policy ESD15 of the CLP 2031 Part 1 and Government guidance contained within the Framework.

## **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:

- Site Location Plan/Block Plan: 39702
- Catalyst Totems: 39702

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: Tomaz Akhter

DATE: 23/01/2024

Checked By: Paul Ihringer

DATE: 24/1/24

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