



*St Edmundsbury*  
BOROUGH COUNCIL

**DEV/SE/16/06**

# **Development Control Committee**

## **7 January 2016**

### **Advertisement Application DC/15/1656/ADV**

#### **Land at Hepworth Road, Stanton**

**Date** 9 October 2015      **Expiry Date:** 4 December 2015  
**Registered:**

**Case** Ed Fosker      **Recommendation:** Grant Consent  
**Officer:**

**Parish:** Stanton      **Ward:** Stanton

**Proposal:** Application for Advertisement Consent - Retention of: (i) 6 no. non-illuminated wall mounted signs; (ii) 2 no. swing boards; (iii) 2 no. non-illuminated house mounted signs; and (iv) 2 no. directional signs

**Site:** Land at Hepworth Road, Stanton

**Applicant:** Abbey Developments

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

CONTACT CASE OFFICER:

Email: [edward.fosker@westsuffolk.gov.uk](mailto:edward.fosker@westsuffolk.gov.uk)

Telephone: 01638 719470

## **Background:**

**This application is referred to the Committee following consideration by the Delegation Panel. It was referred to the Panel at the request of Cllr. Thorndyke as Ward Member. Stanton Parish Council makes 'no comment' on the proposal.**

## **Proposal:**

1. Advertisement Consent is sought for the retention of a 12 non-illuminated signs which advertise a new housing development. These include the retention of (i) 6 no. non-illuminated wall mounted signs; (ii) 2 no. swing boards; (iii) 2 no. non-illuminated house mounted signs; and (iv) 2 no. directional signs.
2. This proposal follows a previous refusal for signage at this site, which is presently at appeal. That refusal sought consent for the display of 19 signs, including those presently the subject of this application, plus an additional seven free-standing flag pole signs. These flag poles are understood to remain on site but do not form part of this application, albeit they are subject to the ongoing appeal proceedings and are therefore tolerated at this stage pending the outcome of that process.

## **Application Supporting Material:**

3. Information submitted with the application as follows:
  - Application form
  - Plans
  - Photographs

## **Site Details:**

4. Countryside and village location where the majority of signs are located within the present development site that the signs are advertising. Two signs are located close to the development site near the junction with the A134.

## **Planning History:**

5. DC/108/1410/FUL- Planning Application - Erection of 101 dwellings with associated accesses and open space. The application was refused but allowed on appeal.
6. DC/14/0270/ADV- Advertisement Application - Retention of one stack sign and two flag poles – approved.
7. DC/15/0431/ADV - Application for Advertisement Consent - retention of 8 no. flagpoles, 6 no. banner style house mounted signs, 2 no. swingboards, 2 no. house mounted signs and 2 no. directional signs (all non-illuminated). Refused – appeal ongoing.

### **Consultations:**

8. Highway Authority: No objection. Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission. The continued use will have no adverse impact on the highway.

### **Representations:**

9. Stanton Parish Council: Makes 'no comment' on the proposal.
10. Neighbour Responses: No letters of representation have been received.

**Policy:** The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

11. Joint Development Management Policies Document:
  - Policy DM38 – Shop fronts and Advertisements
12. St Edmundsbury Core Strategy December 2010
  - Policy CS3 – Design Quality & Local Distinctiveness

### **Other Planning Policy:**

13. National Planning Policy Framework (2012) core principles and paragraph 67.

### **Officer Comment:**

14. The issues to be considered in the determination of the application are:
  - Principle of Development

#### Principle of Development

15. Paragraph 67 of the National Planning Policy Framework states that:

*"Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."*

16. Policy DM38 details that advertisements should preserve or enhance the character and appearance of the building or location which it forms a part of and the street scene in which the proposal is located. Advertisements must not adversely affect neighbour amenity and public safety.

17. The proposed signs are in a prominent location along the street scene. There are three new dwellings where the majority of signs are located close to. Each dwelling has two banners mounted on the front elevation. Located forward of this in a small grass area is a swing board (on the site where bins will be stored). Located adjacent to the previously approved signage is a directional sign and on the junction with A134 is a swing board sign.
18. In total advertisement consent is sought for 12 signs. These are additional to the signs granted consent under DC/14/0270/ADV for a stack sign and two flag poles near to the junction with the A134. This proposal does not seek consent for the retention of the seven flag signs that were part of the refusal that is presently at appeal, and which was refused for the following reasons –
1. *Policy DM38 of the Joint Development Management Policies Document details that advertisements must preserve or enhance the character and appearance of the street scene. The amount of advertisements is considered excessive. The cumulative impact of these signs and the approved signs all located in close proximity to each other negatively affects the visual appearance of Hepworth Road. The position and amount of signs make the advertisements an incongruous and unnecessarily prominent feature which creates visual clutter along this rural road. Consequently the advertisements are not considered to preserve or enhance the street scene.*
  2. *Policy DM38 of the Joint Development Management Policies Document and paragraph 67 of the National Planning Policy Framework state that advertisements must not harm neighbour amenity. Due to the design of the flags they are considered to create excessive noise throughout the day and night through motion caused by wind. Due to the proximity to residential properties opposite and the cumulative impact of noise from all flags the proposal is considered to adversely affect neighbour amenity.*
19. Whilst it is understood that the flags remain in situ they do not form part of this proposal and it can be assumed that, unless they are successful at appeal, will be removed. The LPA has powers to ensure such occurs if required. The flags are considered to represent a significant and extensive element of the previously refused scheme, such that it can be judged that the developer, in discussion and negotiation with officers, has made a genuine attempt to overcome the previous concern.
20. Consequently the cumulative impact of all these signs in close proximity to each other is no longer considered to have such a materially negative impact on the appearance of the built environment in the way that the previous scheme did, such that justification for refusing consent can no longer be made. In reaching this judgement it is noted that it was considered previously that the flags, not least due to the fact that they move, and as set out in the second reason for refusal above, were considered to be the most prominent features, as well as adversely affecting amenity due to noise arising.

21. It is recognised that the advertisements are temporary whilst the development is constructed and plots sold. However consent is sought for five years, from 1<sup>st</sup> January 2015 until 1<sup>st</sup> January 2020. This is a substantial length of time. Noting that a degree of advertisement is required while works are ongoing, and that such is considered reasonable, noting the economic benefits arising, but also noting that the length of the display may otherwise be permitted after the properties have all been sold, it is considered reasonable to otherwise restrict consent once the properties have all been sold. Whilst it might readily be accepted as being self policing that the signs will all be removed once the houses are all sold this cannot be guaranteed and there would be no control if not otherwise removed. A condition is therefore proposed.
22. With regards to public safety the signs do not conflict with road signs and do not provide a hazard to road users and pedestrians. The Highway Authority has no objection to the scheme.
23. It was considered previously that the flags caused harm to neighbour amenity in terms of noise. The flags are located opposite existing residential properties on Hepworth Road. Due to the installation and design of the flags the rope consistently taps on the metal pole. This noise is loud and might reasonably be considered irritating when experienced over an extended period. This noise is exacerbated by the amount of flags. Consequently the flags are considered to adversely affect the neighbour amenity of occupants living opposite the flags. However, as advised, the retention of the flags no longer forms part of this appeal and this concern cannot therefore cause a refusal of this proposal. Once the appeal has run its course and a decision issued (timeframe for this is unknown, but it is anticipated that it will be relatively soon) the, if the appeal is dismissed, enforcement pressure can be brought to secure compliance and if the appeal is allowed then the flags will have consent. Action in the meantime therefore, pending the appeal decision, is not considered reasonable.

### **Conclusion:**

24. Balancing and concluding, the development is considered to accord with Policy DM38 of the Joint Development Management Policies Document and paragraph 67 of the National Planning Policy Framework. The developer has taken material steps to address the concerns raised in the previous application by removing the flags from this proposal.

### **Recommendation:**

It is **RECOMMENDED** that Advertisement Consent be **Granted** subject to the following conditions:

1. Standard advertisement conditions.
2. The advertisements hereby permitted shall be removed from the site on

or by 1<sup>st</sup> January 2020 or within two weeks following the sale of the final property on the wider development site, whichever is the sooner.

Reason: To prevent advertisement clutter in order to protect the amenity and appearance of the locality.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NT2G2CPD05M00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, West Suffolk House, Western Way, Bury St Edmunds, Suffolk IP33 3YU

Case Officer: Ed Fosker

Tel. No. 01638 719440

Development Control Manager:

Date: 21 December 2015