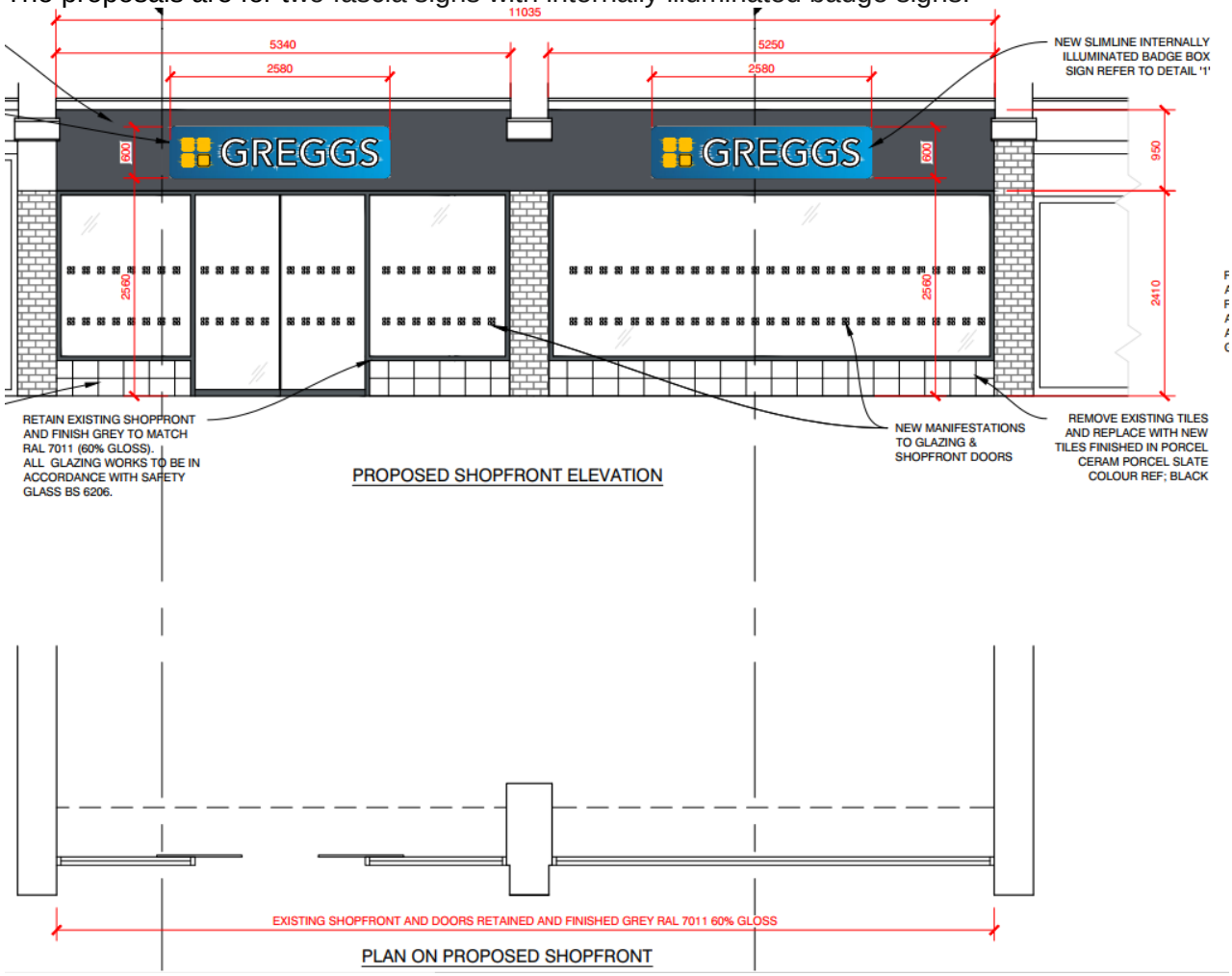
CASE OFFICER'S REPORT

Application Reference: **PL/2023/10080**

Site notice erected: 05/12/2023
Press notice: 07/12/2023 (Salisbury Journal)
Site visit: 07/12/2023
Publicity expiry: 28/12/2023

PROPOSALS:

The proposals are for two fascia signs with internally illuminated badge signs:



SITE DESCRIPTION/CONTEXT:

The application site is a retail unit (A1) located within the Old George Mall Shopping Area in Salisbury City Centre. The site lies within the Salisbury Conservation Area.

POLICIES

Adopted Wiltshire Core Strategy (January 2015):
Core Policy 20 – Spatial Strategy: Salisbury Community Area
Core Policy 57 – Ensuring High Quality Design and Place Shaping

Core Policy 58 – Ensuring the Conservation of the Historic Environment

Adopted Salisbury District Local Plan saved policies:
S10 - Shopfronts

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Government Guidance:
National Planning Policy Framework (NPPF) December 2023
Planning Practice Guidance (PPG)
National Design Guide (NDG)

Supplementary Planning Guidance:
Adopted 'Shopfronts & Advertisement Design' Salisbury 2004
Adopted 'Creating Places Design Guide' 2006
City of Salisbury Conservation Area Appraisal and Management Plan (2014)

SITE HISTORY:

Application Reference No	Description	Decision
S/2004/1653	REMOVE EXISTING SHOPFRONT AND ENTRANCE CREATE NEW SHOPFRONT AND ENTRANCE PLUS EXTERNAL SHUTTER REFURBISHMENT OF INTERIOR STORE	Approve with Conditions 10/09/2004
S/2004/1652	FASCIA SIGN AND FACE FIXED RECESSED CLOCK	Approve with Conditions 13/09/2004
S/2002/1037	PROPOSED REPLACEMENT OF SHOP FRONT SECURITY SHUTTERS	Approve with Conditions 28/06/2002

REPRESENTATIONS

Salisbury City Council: No comments received

Third Party Representations: No comments received

ISSUES

Impact to amenity and public safety
(i) Visual impact
(ii) Impact on Highway Safety

ASSESSMENT:

Outdoor advertisements are controlled by local planning authorities, under the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. The display of advertisements is controlled through a specific approval process and separate planning permission is not required in addition to advertisement consent. Under section 222 of the Town and Country Planning Act 1990 (as amended), planning permission is deemed to be granted for any development of land involved in the display of advertisements in accordance with the Regulations.

Under regulation 3, advertisements are subject to control only in the interests of "amenity" and "public safety" and taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Paragraph 141 of the NPPF identifies that *'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'*

All advertisements, are subject to the standard conditions in Schedule 2 to the Regulations:

1. no advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land);
2.no advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport;
3.any advertisement must be maintained in a condition that does not impair the visual amenity of the site;
4.any advertisement hoarding or structure is to be kept in a condition which does not endanger the public; and
5. If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.

Amenity considerations

"Amenity" is not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Planning Practice Guidance (PPG) explains 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. The PPG explains that *'in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.'*

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of any functions, with respect to any buildings or other land in a conservation area, under or by virtue of any of the provisions mentioned in this Section, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The NPPF outlines the government's policy in respect of the historic environment (Section 16) and in paying 'special attention' to conservation areas, the NPPF requires an assessment as to whether the proposal causes harm, 'substantial harm' or 'less than substantial harm.

Core Policy 57 of the Wiltshire Core Strategy requires *'the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials'* and saved policy S10 of the Salisbury District Local Plan requires *'Alterations to existing shopfronts will be permitted provided the proposed alterations respect the historic character and scale of the building or group of buildings.'*

WCS Core Policy 58 also states "*Development should protect, conserve and where possible enhance the historic environment*".

The Salisbury Conservation Area Appraisal identifies the site as being within the New Street Chequer and that this *'is one of the largest chequers but also one that has seen considerable change in the twentieth century. The majority of the interior of the chequer is given over to a modern shopping centre (The Old George Mall) with central open walkway and a covered car park off New Street to serve the centre.'*

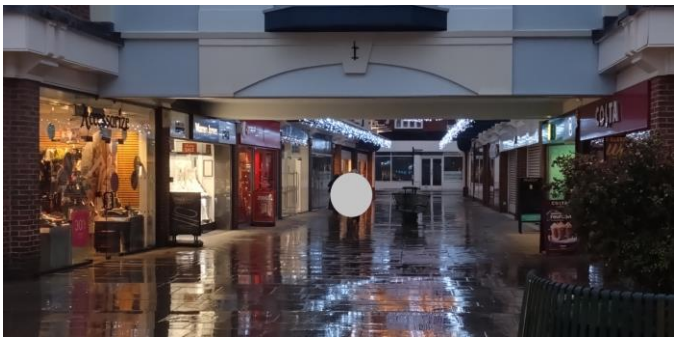
Whilst internally illuminated signs are not generally considered to be acceptable in more sensitively located sites within Salisbury City Centre; The Old George Mall is a pedestrianised precinct with very little intervisibility with historic buildings and streets. There are also existing internally illuminated signage on a number of the retail units, including The EE store immediately adjacent to this site and very recently approved illuminated signage at Primark (PL/2022/04849)



The application site with EE store adj



Primark to the south of the site



Looking north towards New Canal (site on RH side)



To the west of the site (within Old George Mall)

It is thus considered that the scheme will not have an adverse impact (or cause harm) to the character and appearance of the conservation area, or upon amenity.

Public safety

The PPG explains that *'All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low*

bridge or level crossing or other places where local conditions present traffic hazards. There are less likely to be road safety problems if the advertisement is on a site within a commercial or industrial locality, if it is a shop fascia sign, name-board, trade or business sign, or a normal poster panel, and if the advertisement is not on the skyline.'

Public safety is not confined to road safety and includes all of the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air.

The issue for the planning authority in this case is whether the positioning and size of the advert is such that it could prejudice the safe operation of any form of transport or traffic (including pedestrians). In this case the advertisements are within a pedestrianised precinct area and are not considered to affect highway safety.

RECOMMENDATION: It is not considered that the advertisements will have an adverse impact to amenity or public safety. **APPROVE**

1) This consent shall expire at the end of the period of [5] years from the date of this Notice.
REASON: To comply with Regulations 14 (7) and (8) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
Drawing No: RSTH/S6017/02A Proposed New Signage dated 1/11/2023, received by this office 21/11/2023
Plan Reference No: TQRQM23306093757503 1:1250 Site Plan, received by this office 21/11/2023
REASON: For the avoidance of doubt and in the interests of proper planning.

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.
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.
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
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.
Where an advertisement is required under these 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 Regulation 14 (7) of the Town and Country Planning (Control of advertisements) (England) Regulations 2007.

4) The illumination of the advertisement(s) shall be implemented in a way which ensures that no source of light is directly visible from the public highway.
REASON: In the interests of public safety.

5) The illumination of the sign(s) hereby permitted shall be static and shall not be of a flashing type.

REASON: In the interests of amenity and/or public safety.

6) No part of the advertisement(s) shall be located less than 2.4m above the highway/footway.
REASON: In the interests of public safety.