CASE OFFICER'S REPORT

Application Reference:	PL/2024/00252
Application Type:	Consent to display an advertisement
Site Inspection:	
Consultation ends:	20 February 2024
Case officer:	Stefan Galyas

Site Address:	Land at Marsh Farm, North of Malmesbury Road, Royal Wootton Bassett, SN4 8AY
Proposal:	2 no. illuminated fascia signs, 4no. wall mounted billboard, 1 no. illuminated poster display unit and 1no. illuminated flagpole sign.
Recommendation:	Approve with Conditions

SITE DESCRIPTION:

The application site lies directly adjacent to and immediately north of the Malmesbury Road/B4042 stretching westwards near to the Coped Hall Roundabout. The site is located on the northern periphery of the settlement of Royal Wootton Bassett where estate style development can be observed to the southwestern side of the highway. The application site is within the proximity of a Listed Building, Marsh Farm and is not located within any designated Conservation Area. The site lies within the boundary of the 'Great Western Community Forest' with no existing rural 'Public Rights of Way' located within the site.

PROPOSAL:

The application seeks advertisement consent to erect 1 illuminated flagpole sign, 2 illuminated fascia signs, 4 wall mounted billboard and 1 illuminated poster display unit. The proposed signage would be positioned throughout the supermarket development.

POLICIES:

National Planning Policy Framework (NPPF) December 2023
Paragraphs 114-116 – Highways
Paragraph 131 – Function and Form of Development
Paragraph 141 - Advertisement Control

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Wiltshire Core Strategy January 2015
Core Policy 1 Settlement Strategy
Core Policy 2 Delivery Strategy
Core Policy 19 Royal Wootton Bassett and Cricklade Community Area
Core Policy 57 Ensuring high quality design and place-shaping
Core Policy 58 Ensuring the Conservation of the historic environment
Core Policy 61 Transport and Development

CONSULTATIONS:
Royal Wootton Bassett Town Council: No objection

Lydiard Tregoze Parish Council: No comment

Wiltshire Council's Highways Department: No objection. It was commented that the proposed signage would not lead to concerns on Highways grounds on behalf of light spillage onto the highway.

Letters: There was one letter of representation received in response to the proposed development. The letter raised an objection to the proposal and highlighted the following issues:
• The inclusion of the illuminated flagpole sign.
• The light pollution in hours of darkness which could result in a detrimental effect on the nocturnal wildlife in the adjoining country park.
• Light pollution emitted towards the dwellings directly opposite the main road and the care home adjacent to the development.
• The proposed height of the flagpole sign being overlarge within its context.
• The illuminated sign possessing 20 fluorescent tubes which would burn 1300 watts which would not result in a positive effect on the environment.
• No objection was raised to the illuminated fascia signs and poster display.

KEY ISSUES:
Impact on the Amenity of the Area
Public Safety

RELEVANT PLANNING HISTORY:
N/08/00025/FUL - Development of range of sport facilities, providing football, cricket and tennis pitches, plus associated and ancillary uses including two clubhouses, a warden flat, parking facilities, hardstanding, infrastructure, access and landscaping works. Approved 29/03/12.

13/07291/SCR – Screening as to whether an Environmental Impact Assessment is required in respect of proposed mixed use. No EIA is required 20/01/14.

14/08060/OUT – Applicant (Leda Properties and Tesco Stores Ltd) Mixed development of up to 320 dwellings, community hub comprising of 500 square meters of A1/A2/A3/A4,A5/D1 and D2 uses, public open space, landscaping to approved sports hub and access. Refused 26/04/17 and dismissed 06/12/18.

15/00892/FUL – Amendment to boundary of sports hub approved under planning application N/08/00025/FUL to include two additional parcels of land. Approved 08/05/15.

16/06995/FUL – Applicants (Leda Properties Limited and Lidl GmBH UK) Hybrid Application for a 2,469 square meters (GIA) supermarket with access and landscaping (details) and Class C2 care home of up to 3,000 square meters (outline). Refused 26/04/17 and dismissed 06/12/18.

17/08871/OHL – Consent under Section 37 of the Electricity Act 1989 to install or keep installed an electric line above ground. Increase in height of Pole 8 from 10m to 14 meters. Approved 26/10/17.

18/02955/FUL – Class C2 66 bed care home with associated car park and landscaping and upgraded access from Hook Road. Approved with conditions 20/06/22.

19/10436/VAR – Variation of condition 2 (approved plans) for application 18/02955/FUL to alter the design of the build at the rear elevation to include a small extension around the main entrance, and site layout in external areas is also subject to minor alterations. Approved 11/01/20.

PL/2022/05273 - Erection of Class E foodstore, car parking, works to create community open space, new access, landscaping and associated works. Approved 26/09/23.

ASSESSMENT:

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) requires that the local planning authority exercises its powers under the Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

For the purpose of the Regulations, 'amenity' includes "aural and visual amenity".

Impact on the Amenity of the Area:

The overall scale of the proposed signage throughout the development is considered commensurate with the scale of the pending development and not out of character with the development to which it relates. It is noted that illuminated signage has been previously permitted under 19/07288/ADV for the ALDI supermarket within the site's locality, including a 6m high double post mounted sign. The proposed flagpole, fascia sign and poster display would be illuminated and would be positioned in a relatively short distance to residential properties to the south of the site as well as the care home to the east. Whilst one of the illuminated fascia signs would face towards the care home and the flagpole sign would be positioned towards the south of the site, the proposed advertisements are not considered to result in greater visual intrusion. Given the presence of street lighting along this segment of the Malmesbury Road the proposed illuminated signage is not considered to significantly increase the amount of light emitted within the site's vicinity. Nevertheless, the site is considered to be located in a part-residential area and a condition ensuring that the illuminated lights are turned off between the hours of 23:00 and 07:00 is considered necessary and relevant in this instance. Accordingly, it is not considered that the signage results in a significantly harmful impact in terms of amenity and this would not form a reason to refuse advertisement consent.

Public Safety:

Having regard to the considerations of public safety set out at Regulation 3(2)(b) (as amended) and the generality of 'any other relevant factors', the relevant issue in respect pf this site is the safety of persons using the highway. In response to the application, Wiltshire Councils Highways Engineer concluded that the signage would not give rise to concerns on highways grounds due to. It was considered that the proposed development would not result in a substantial degree of light

spillage onto the highway which may distract or impair motorists. It is therefore considered that the proposed advertisement is acceptable from a public safety standpoint.

CONCLUSION:
In light of the above assessment, and there being no further matters that are material to an application under the Regulations, it is considered that consent be granted, subject to conditions.

RECOMMENDATION:
Consent, subject to conditions:

Conditions: (5)

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:

PL-01 A Proposed Signage Elevations
PL-02 Proposed Signage Details
PL-03 C Proposed Signage Plan
All received 19/01/24

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 amenities.

REASON: To comply with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4 The signage hereby granted consent shall not be retained on the site after the expiry of five years from the date of this decision.

REASON: To ensure that the signage is removed at the end of the limited period specified, in the interest of amenity and/or public safety.

5 The advertisement(s) hereby permitted shall not be illuminated before 07:00 or after 23:00 on any day.

REASON: In the interests of amenity.

Informatives: (3)

6 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

7 The applicant is requested to note that the grant of advertisement consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

8 The applicant should note that the grant of advertisement consent does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.