DELEGATED REPORT

Application Reference: PL/2023/10896

POLICIES/LEGISLATION
NPPF (2023)
Wiltshire Core Strategy (2015): CP57
Calne Community Neighbourhood Plan: Policy BE1 – Integration and Landscaping
Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

ISSUES
The considerations in the determination of the application for advert consent are the impact of the advertisement on amenity and public safety.

PLANNING HISTORY
- 20/06684/OUT - Outline application (all matters reserved except for main vehicular access from Chilvester Hill only) for up to 32 dwellings and associated infrastructure, landscape and biodiversity enhancements – Allowed on appeal.
- PL/2022/05993 – Approval of reserved matters – Allowed
- Discharge of conditions relating to the above

CONSULTATION
Calne Without Parish Council – WPC wishes to object to the application on the basis of the visual impact on local heritage assets, and having consideration that it's the gateway to Calne.

If Wiltshire council are inclined to permit the application we wish to request that the flags are to be removed by 19 Oct 2025 or at a point when all dwellings are sold whichever is earlier.

Highways Officer – The proposals seek to place two post mounted signs within land adjacent to the public highway on entry into the residential development site with a flagpole either side of each sign. From the plans submitted, it would appear that the signs are not proposed to be lit and are set back from the public highway with no projection over and do not interfere with the visibility splay of the access. I would not wish to raise an objection to the principle of the signing; however I note that there is a direction sign attached to the post mounted sign on the west of the junction which directs vehicles to u-turn at the roundabout and turn left into the development site. This would appear to be not included within the application form and the size of the sign is such that it would concern me with regard to visibility on a 40mph speed road. Therefore, I require further information or amended detail to include this signage as a larger sign with appropriate X-height on lettering to allow for visibility from the approaching carriageway. – *Officer comment – This additional sign has since been removed from the application.*

REPRESENTATIONS
One representation received in objection "I believe that these signs will cause further distraction for drivers on this busy stretch of the A4. The construction entrance, 3 driveways, 2 bus stops and a roundabout along a 100m stretch of the A4 with a 40mph speed limit already makes this hazardous for road users. We have already experienced a four car incident on this stretch road with one very damaged electric blue mini car ending up in the hedge opposite the construction site on Saturday January 13th at 3pm which the police attended."

ASSESSMENT:

The proposal seeks permission for the installation of new signage at a new residential development site, on land known as land to the south of Chilvester Hill, Calne, or Alexanda Gate by the developer. The application proposes 2 no. pole mounted signs at the front entrance of the site off the A4, and 4 no. flag signs positioned either side of each of the pole mounted signs.

Fundamental to the determination of applications for advertisement consent, is that they may only be controlled with regard to two material considerations, namely “amenity” and “public safety” (sec. 220 of the 1990 Act). There is no lawful category of “other material considerations” in addition to the interests of amenity and public safety that can be taken into consideration when determining applications for advertisement consent under the regulations.

Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest and, in England since the 2007 Regulations came into force, include rural amenity, so that noise generated by an advert can be taken into account. The Grade II listed Chilvester Lodge and Chilvester House are situated on the northern side of the A4 Chilvester Hill. Calne Conservation Area is approximately 500m to the south east at its closest point.

The proposed flag pole signage would be 4.8m in height, 2.4m in width, with a depth of 0.21m. The advertisement would be finished in aluminium with grey, white and burgundy colours. There is no illumination proposed. The flag signage would be 6m in height, 0.9m in width, and a depth of 0.1m. They would consist of a polyester flag and aluminium pole. They would be burgundy and white.

There are listed buildings within close proximity to the north side of the A4. It is noted the Parish Council have concerns with regard to the visual impact and impact on heritage assets. It is recognised that this signage is for the advertisement of the new residential development. The signage appears to be well designed for the purposes of advertising new homes for sale. The nature of the signage is temporary whilst houses are being built and sold. Should the advertisements have been intended as a permanent feature, this would have a visual impact and potential harm to the setting of listed buildings. However, on a temporary basis and within the context of the new housing development it is considered in keeping with the standard advertising signage that would be expected.

Due to the temporary nature, there would be no long term affects on the listed buildings. It is not considered there would be any harm to the amenity of the area or neighbours as a result. Consent for advertisement consent is given for a period of five years, which means after this period, further consent would need to be sought if they required them to be in place for longer.

Factors relevant to public safety are stated to include the safety of persons using any highway; whether the display of the advertisement in question is likely to obstruct or impair sight-lines at a junction; those which would hinder the ready interpretation of any traffic sign; those that require close study; and those which resemble traffic signs. The Highways Engineer has been consulted and has no objection to the proposals for the flag pole signage and flags. The proposals would not adversely affect the public highway. However, the Highway Engineer does identify another traffic related sign which may require consent. This has been queried with the applicant, and they applicant has removed this from the application. This sign does not fall within this application proposal or red line. Consequently, as the Highways Engineer has no objection to the proposals subject to this application, it is considered this is acceptable in terms of public safety.

In consideration of the above it is concluded that the signage does not adversely impact on amenity or highways safety and that it accords with the development plan. Accordingly the application for advert consent is recommended for conditional approval.

RECOMMENDATION:
The applications are recommended for approval in accordance with Policy CP57 of the Wiltshire Core Strategy, Policy BE1 of the Calne Community Neighbourhood Plan and the National Planning Policy Framework.

Subject to the following conditions:

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:

Plans as received by the LPA 13/12/23:

Site Plan Drawing No: 04857-02 Page 5

Post Mounted Sign – Elevations Drawing No: 04857-02 Page 2

Flags Elevations Drawing No: 04857-02 Page 4

Plan as received by the LPA 11/04/24:

Post Mounted Sign – Elevations Drawing No: 04857-02 Page 3

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.

- INFORMATIVE TO APPLICANT:

  The applicant should note that the grant of planning permission 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.

- INFORMATIVE TO APPLICANT:

  The applicant is requested to note that this permission 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.