

# APPLICATION FOR ADVERTISEMENT CONSENT DELEGATED REPORT

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| <b>APPLICATION REFERENCE:</b>   | PL/2026/01353                                                                                                                                                                                                                        |
| <b>APPLICATION TYPE:</b>        | Consent to display an advertisement                                                                                                                                                                                                  |
| <b>SITE ADDRESS:</b>            | Town Hall, High Street, Chippenham, SN15 3ER                                                                                                                                                                                         |
| <b>DEVELOPMENT DESCRIPTION:</b> | Application seeking approval to fly White Ribbon/Holocaust Memorial/Progress Pride/Lest We Forget/Emergency Services Day flags on existing flag pole on specific days/periods throughout the year according to Flag Flying Protocol. |
| <b>RECOMMENDATION:</b>          | Approved with conditions                                                                                                                                                                                                             |

## PROPOSAL

The application seeks advertisement consent to fly White Ribbon/Holocaust Memorial/Progress Pride/Lest We Forget/Emergency Services Day flags on existing flag-pole on specific days/periods throughout the year according to Flag Flying Protocol.

## SITE DESCRIPTION

The application site comprises the Town Hall, located on the High Street within the centre of Chippenham. The surrounding area is characterised by a busy town-centre environment with a predominance of main High Street retail uses, active shopfronts, and associated pedestrian activity.

The site lies within the Chippenham Conservation Area and comprises a Grade II listed building. A number of other Grade II listed buildings are located in close proximity, contributing to the historic character and significance of the area. The site is also situated within the designated primary retail frontage.

## RELEVANT LEGISLATION, POLICIES AND GUIDANCE

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

National Planning Policy Framework (NPPF)

- Paragraph 141

Planning Practice Guidance (PPG)

- Advertisements

### Wiltshire Core Strategy 2015 (WCS)

- Core Policy 57 - Ensuring High Quality Design & Space Shaping
- Core Policy 58 - Ensuring the Conservation of the Historic Environment
- Core Policy 62 - Development Impacts on the Transport Network

### Saved policies of the North Wiltshire Local Plan 2011

- R1 - Primary Retail Frontage

### Chippenham Neighbourhood Plan

- Policy TC4 – Development within Chippenham Conservation Area

### Supplementary Planning Documents

- Institute of Lighting Professionals: The Brightness of Illuminated Advertisements (2014) PLG 05.

## **RELEVANT PLANNING HISTORY**

| Proposal / Summary                                                                                                                                                                                                                    |
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| N/99/02867/ADV - Consent to display an advertisement Decision - Unknown Date: 5/1/2000 – DISPLAY OF FOUR BANNERS                                                                                                                      |
| N/99/02868/LBC - Listed building consent Decision - Unknown Date: 5/1/2000 – ERECTION OF FOUR BANNERS TO FRONT ELEVATION                                                                                                              |
| N/89/01469/LBC - Listed building consent Decision - Approved Date: 22/1/1990 – ALTERATIONS TO LISTED BUILDING(ERECT HISTORICAL PLAQUE)                                                                                                |
| N/96/02456/LBC - Listed building consent Decision - Unknown Date: 14/2/1997 – INSTALLATION OF ONE WALL- MOUNTED AMENITY STREETLIGHT AT EIGHT METRES ABOVE GROUND LEVEL EXTERNALLY AMENITY STREETLIGHT                                 |
| N/97/01556/LBC - Listed building consent Decision - Unknown Date: 15/8/1997 – ERECTION OF NOTICE BOARD NOTICE BOARD                                                                                                                   |
| N/95/01416/LBC - Listed building consent Decision - Approved Date: 30/10/1995 – ALTERATIONS TO FORM TOWN COUNCIL RECEPTION OFFICE AND RETAIL UNITS COMBINED WITH EXISTING FACILITIES FOR PUBLIC AND PRIVATE FUNCTIONS ALTERATIONS     |
| N/02/01875/LBC - Listed building consent Decision - Approve with Conditions Date: 8/10/2002 – INSTALLATION OF AIR CONDITIONING TO BAR AND FUNCTION ROOMS                                                                              |
| 14/10742/FUL - Full planning permission Decision - Approve with Conditions Date: 16/3/2015 – Change Of Use From Class A1 To Multi-Purpose Uses Falling Within Use Classes A3, A4,D1, D2 & In Connection With Sui Generis Theatre Use. |
| N/99/00894/LBC - Listed building consent Decision - Unknown Date: 22/7/1999 – INSTALLATION OF TWO MICRO-CELL ANTENNAE                                                                                                                 |
| N/92/01263/LBC - Listed building consent Decision - Approved Date: 19/1/1993 – ALTERATIONS PARTIAL DEMOLITIONAND EXTENSIONS TO TOWN HALL/ NEEDL                                                                                       |

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| HALL/CHEESE ROOM AND CORN EXCHANGE, HIGH STREET RETAIL & COMMUNITY DEVELOPMENT                                                                                                                                                                                                                                                                              |
| N/95/01415/FUL - Full planning permission Decision - Approved Date: 30/10/1995 – CHANGE OF USE AND ALTERATIONS TO FORM TOWN COUNCIL RECEPTION OFFICE AND RETAIL UNITS COMBINED WITH FACILITIES FOR PUBLIC AND PRIVATE FUNCTIONS ALTERATIONS                                                                                                                 |
| N/94/01491/LBC - Listed building consent Decision - DIS- DISPOSED Date: 24/6/2003 – INTERNAL ALTERATIONS INVOLVING REMOVAL OF STAIRS/PARTITIONS AND LOWERING OF FLOOR                                                                                                                                                                                       |
| 15/04852/FUL - Full planning permission Decision - Approve with Conditions Date: 13/7/2015 – Replacement of Glass Entrance Door with Glass Infill Panel and Alteration of Existing Main Entrance Door with New Automated Doors                                                                                                                              |
| 15/07159/FUL - Full planning permission Decision - Approve with Conditions Date: 10/9/2015 – Revision to Planning Permission Reference 15/04852/FUL to Include the Erection of External Air Conditioning Units                                                                                                                                              |
| 15/07180/LBC - Listed building consent Decision - Approve with Conditions Date: 10/9/2015 – Revision to Listed Building Consent Reference 15/04454/LBC to Include Alterations to Layout of Bar Area, Revision to Layout of WC's, Alterations to Reception Area & Erection of External Air Conditioning Units                                                |
| 15/04454/LBC - Listed building consent Decision - Approve with Conditions Date: 13/7/2015 – Internal & External Alterations Including Reconfiguration of Entrance/Reception Area, Replacement of Glass Entrance Door with Glass Infill Panel, Alteration of Existing Main Entrance Door with New Automated Doors, Creation of Openings Along Link Corridor, |
| N/03/00650/LBC - Listed building consent Decision - Approved Date: 28/5/2003 – REPAINTING OF SIDE DOORS AND WINDOWS                                                                                                                                                                                                                                         |
| N/96/01790/FUL - Full planning permission Decision - Unknown Date: 2/12/1996 – CHANGE OF USE FROM A1 TO A3 CHANGE USE FROM A1 TO A3                                                                                                                                                                                                                         |
| PL/2022/06581 - Listed building consent Decision - Approve with Conditions Date: 16/12/2022 – Internal refurbishment of the Meeting Place and Former Corn Exchange, replacement of external doors and windows and new external lighting.                                                                                                                    |

## ISSUES

The issues that are relevant to the consideration of an application for consent to display advertisements are the effects of the proposal on 'amenity' and 'public safety'.

## CONSULTEE RESPONSES

Chippenham Town Council: No comment received (the Town Council is the applicant)

Council Highways Engineer: No objection.

Council Conservation Officer: No Objection:

*“...the proposal is not considered to have any adverse impact on the significance of the Town Hall as a Grade II listed building. The works in this case being limited to the display of flags on an existing flag-pole.”*

## **RESPRESENTATIONS**

No representations have been received.

## **ASSESSMENT**

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities exercise their powers in relation to the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

The NPPF (141) is clear that the quality and character of places can suffer when advertisements are poorly sited and designed and should be subject to control only in the interests of amenity and public safety, also considering the cumulative impacts.

### Impact on amenity

“Amenity” is not exhaustively defined in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 but is generally understood to include both visual and aural amenity. Factors relevant to amenity include the general characteristics of the locality, such as the presence of features of historic, architectural, cultural, or similar interest.

In broader planning terms, as reflected in the National Planning Policy Framework (NPPF), amenity refers to the quality or character of an area and the elements that contribute to the overall enjoyment and liveability of a place.

CP57 requires a high standard of design in all proposals, including (x) the sensitive design of advertisements and signage.

The application proposes the attachment of a number of different flags to an existing flagpole on specific days or periods throughout the year. The flags comprise a double sided White Ribbon Flag, Holocaust Memorial Day Trust Flag, Progress Pride Flag, 'Lest We Forget' Flag and Emergency Services Day Flag. The flags are listed within the Town Council's Flag Flying Protocol (October 2025) which was discussed and approved at a Council meeting. The Flag Flying Protocol has been provided with the application with the dates and periods of time anticipated for the flags to be flown. Other flags on the list and not included within this application do not require consent.

The proposed flags would be flown on the existing flag pole at the Town Hall. They are for transient periods and appear appropriate in the context of being flown at a municipal building. No illumination is proposed. Given their temporary nature it is not considered that the flags would cause any harm to

amenity. There would be no harm to the significance of the Conservation Area and listed buildings within the locality. The Council's Conservation Officer has no objection.

It is considered that the proposed advertisement would not cause harm to the visual amenity of the area, including the setting of any heritage assets, and would therefore comply with the relevant provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

#### Impact on public safety

"Public safety" is not exhaustively defined in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, but it generally refers to the potential impact of a development or advertisement on the safe use and operation of public spaces, including roads, footpaths, and other areas accessible to the public.

In assessing public safety, the Local Planning Authority (LPA) may consider:

- Whether the proposal would obstruct visibility for road users or pedestrians;
- Whether it could distract, confuse, or mislead drivers, particularly near junctions or crossings;
- Whether it interferes with traffic signs, signals, or street lighting;
- Whether it poses a physical hazard, such as through poor structural integrity or inappropriate siting.

The National Planning Policy Framework (NPPF) also supports the principle that planning decisions should ensure developments create places that are safe, inclusive, and accessible, and that they do not undermine public safety or security.

CP62 advises that proposals should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the implementation and operational stages.

The application site is located on a busy High Street environment characterised by a range of existing visual activity, including shopfronts, signage and street furniture. The proposal relates to the temporary display of flags for a limited period at a time. The road is predominantly used by pedestrians, cyclists and delivery vehicles.

In terms of public safety, the flags would not obstruct visibility for road users or pedestrians, would not interfere with traffic signs, signals, or street lighting, and would not introduce illumination or moving elements that could distract or confuse road users. Given their scale, siting, and temporary nature, the proposal would not give rise to a physical hazard or materially add to visual clutter beyond that already typical of the area.

The Highway Authority has raised no objection, advising that "it is considered that the proposal is not detrimental to highway safety and I raise no highway objection."

Having regard to the cumulative context of the High Street, where a variety of visual features are already present and safely accommodated, it is considered that the proposal would not result in an unacceptable impact on public safety, either individually or cumulatively. The proposal would therefore satisfy the

relevant provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

### Other matters

Given the proposal is for flags to be attached to an existing flag-pole, it is not considered listed building consent is required.

The Council's Flag Flying Protocol provides a clear governance framework for the timing and type of flags displayed. All flags are proposed to be flown for limited periods of time, often for a single day only. The flags that require advertisement consent have been included within this application; however, there are a number of other flags on the protocol roster that do not require any consent and may be flown at any time. Furthermore, the flagpole is restricted to the display of a single flag at any one time. In this context, and given the temporary nature of the displays proposed, it is not considered necessary or reasonable to impose a planning condition to regulate the operational use of the flagpole.

### **CONCLUSION**

The proposed advertisement has been assessed in accordance with the relevant provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

It is considered that the advertisement, by reason of its design, scale and siting, it would not result in harm to the visual amenity of the area, including the setting of any nearby heritage assets. Furthermore, the proposal is not considered to pose a risk to public safety, either individually or cumulatively with other signage in the vicinity. There would be no harm to the primary retail frontage as a result of the proposal.

Subject to the recommended conditions, the proposal is therefore considered acceptable in accordance with CP57, CP58 and CP61 of the WCS, Saved Policy R1 of the North Wiltshire Local Plan and Policy TC4 of the Chippenham Neighbourhood Plan and it is recommended that advertisement consent be granted.

**RECOMMENDATION: It is recommended that advertisement consent be GRANTED subject to 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 as received by the LPA 26/02/26:

Location Plan

## Manufacturing Specification Sheets x5

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.