

# APPLICATION FOR ADVERTISEMENT CONSENT

## CASE OFFICER REPORT

|                                 |                                                                                         |
|---------------------------------|-----------------------------------------------------------------------------------------|
| <b>APPLICATION REFERENCE:</b>   | PL/2026/02740                                                                           |
| <b>APPLICATION TYPE:</b>        | Consent to display an advertisement                                                     |
| <b>SITE ADDRESS:</b>            | Bowerhill Lodge, 382 Longleaze Lane, Melksham, SN12 6QJ                                 |
| <b>DEVELOPMENT DESCRIPTION:</b> | Brick plinth with sign identifying care home with up lighting for night time visibility |
| <b>RECOMMENDATION:</b>          | Approve with Conditions                                                                 |

### SITE DESCRIPTION/CONTEXT

The application site comprises of an area of land being developed for an elderly care home (use class C2) under application reference PL/2023/0672.

The local context is characterised by a mixture of residential buildings with associated ancillary business uses and medical facility. The site lies in the town of Melksham, with the settlement boundary.

### PROPOSAL:

The application seeks advertisement consent for a brick plinth with sign identifying care home with up lighting for night time visibility. The proposal is a non-projecting wall-mounted sign measuring 1.3m wide x 0.75m high x 0.05m deep, fixed to a facing brickwork plinth. The sign consists of an aluminium composite panel with applied vinyl graphics, featuring a dark blue (cobalt) background, white text, and red, white and black logo accents.

The sign would be positioned with its base approximately 0.44m above ground level and would project only 0.05m from the face of the structure. The maximum height of individual letters and symbols would be 22.9cm. The advertisement would be externally illuminated by a static lighting source with a luminance of 153.4 cd/m<sup>2</sup>.

### 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 51 Landscape
- 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

Neighbourhood Plan:

Combined Melksham Neighbourhood Plan

Supplementary Planning Documents:

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

## 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

The following consultees were invited to comment on this application:

Melksham Town Council: Comment

*Melksham Town Council has concerns about the proposed location affecting trees and visibility. Melksham Town Council supports the application but asks that any installation is sympathetic to the established trees.*

Wiltshire Council's Highways Engineer: No objection subject to condition below

*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 and be static and shall not be of a flashing type.*

*REASON: In the interests of public safety.*

*The intensity of the illumination of the sign permitted by this consent shall be no greater than that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).*

*REASON: in the interests of amenity and public safety.*

## 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:

#### *Policy Context*

“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.

#### *Assessment*

The proposal is not within a Conservation Area and there are no listed buildings in the vicinity of the proposed sign. As such no harm to heritage assets has been identified.

The proposed sign and plinth have a modest scale, limited projection from the host structure, and placement at low level on a brick plinth. As such it is considered that the advertisement and associated plinth is unlikely to appear visually intrusive.

The proposed colour scheme is typical of commercial branding and would be read as a standard business sign. The sign's dimensions and design are considered proportionate to its setting and are not likely to result in material harm to the visual amenities of the area.

Due to the modest nature of the sign and appropriate finish it is not considered that the sign would lead to a detrimental or cluttered wider street scene.

The concerns of the town council have been noted, and it is not considered likely that the proposals would cause any significant impact to the established trees.

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:

##### *Policy Context*

“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.

##### *Assessment*

Wiltshire Council Highways Engineer has also reviewed the application, and no objection has been raised.

The plinth is set back off the public highway and behind the visibility splay and cycleway agreed as part of application PL/2023/06725. As such it is not considered that the proposal would obstruct visibility for road users or pedestrians. Due to the proposal's location it is not considered that the proposal would interfere with traffic, signs, signals or street lights.

A condition has been suggested which would control the illumination of the sign and would ensure that it is acceptable and would not be a hazard to road users. The conditions will limit the lighting to static and the brightness. These conditions satisfy the requisite tests for a condition and ensures that the proposal is acceptable.

It is considered that the proposal would not result in an unacceptable impact on public safety, either individually or cumulatively, and would therefore satisfy the relevant provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007.

#### **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, siting, and method of illumination, 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.

Subject to the recommended conditions, the proposal is therefore considered acceptable and it is recommended that advertisement consent be granted.

**RECOMMENDATION:**

**It is recommended that advertisement consent be GRANTED subject to condition(s).**

1. 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.

2. 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.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan.

Proposed Site Plan (Drawing No. 1446C-RDT-ZZ-XX-DR-A-1100).

Proposed Signage.

External Signage Plinth Detail / Elevation (Drawing No. 1446C-RDT-ZZ-XX-DR-A-1550).

External Electrical Layout (Drawing No. 2607-HCL-ZZ-XX-DR-E-6000)

Lighting Details 1.

Lighting Details 2.

(Received by LPA 28<sup>th</sup> April 2026)

REASON: For the avoidance of doubt and in the interests of proper planning.

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 and be static and shall not be of a flashing type.

REASON: In the interests of public safety.

5. The intensity of the illumination of the sign permitted by this consent shall be no greater than that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).

REASON: in the interests of amenity and public safety.