

APPLICATION FOR ADVERTISEMENT CONSENT

CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04164
APPLICATION TYPE:	Consent to display an advertisement
SITE ADDRESS:	Town Hall, Market Place, Melksham, SN12 6ES
DEVELOPMENT DESCRIPTION:	Attachment of double sided White Ribbon Flag, Holocaust Memorial Day Flag, Progress Flag and Emergency Services Flag individually to existing flagpoles on building front on specific days or periods throughout the year.
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION/CONTEXT

The application site comprises the existing town hall in the centre of Melksham. The surrounding area is typified by retail units with limited residential above. The site is wholly within the Melksham Conservation Area.

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.

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

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

National Planning Policy Framework (NPPF)

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

Neighbourhood Plan:

Melksham Neighbourhood Plan- Policy 9 Town Centre

Supplementary Planning Documents:

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

ISSUES

Advertisement applications are subject to a distinct statutory regime. The Local Planning Authority may only consider the effect of the proposal on amenity and public safety. Other matters, including the content of the advertisement or commercial considerations, are not material to the determination of the application.

CONSULTEE RESPONSES

The views of consultees are material considerations in the determination of the application. However, the decision-maker must exercise their own planning judgement. Where consultees raise concerns or recommend conditions, these have been considered and are addressed within the assessment section of this report.

The following consultees were invited to comment on this application:

Melksham Town Council: No objection

Wiltshire Council's Highways Engineer: No objection

Wiltshire Council's Conservation Officer: No comment received

REPRESENTATIONS

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.

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 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.

Public Sector Equality Duty (PSED):

In reaching this decision, due regard has been had to the Public Sector Equality Duty under Section 149 of the Equality Act 2010. This requires the Local Planning Authority to have regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

The Local Planning Authority is satisfied that the proposal would not result in any unlawful discrimination and that any impacts on protected groups have been appropriately considered as part of this assessment.

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 9 of the Melksham Neighbourhood Plan and it is recommended that advertisement consent be granted.

RECOMMENDATION:

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

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 03/07/26:

Location Plan

Holocaust Memorial Day Flag

Emergency Services Flag

Progress Flag

White Ribbon Flag

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.