



Planning Services

COMMITTEE REPORT

APPLICATION DETAILS

APPLICATION NO:	DM/18/01469/AD
FULL APPLICATION DESCRIPTION:	Non illuminated pole mounted sales sign (retrospective)
NAME OF APPLICANT:	Taylor Wimpey
ADDRESS:	Land North East Of Stockton Road, Sedgefield, TS21 2BQ
ELECTORAL DIVISION:	Sedgefield
CASE OFFICER:	Hilary Sperring, Planning Officer, 03000 263947, Hilary.sperring@durham.gov.uk

DESCRIPTION OF THE SITE AND PROPOSALS

1. The application relates to land to the north east of Stockton Road, Sedgefield close to the junction with the A689, one of the main entrances to the settlement. The land is currently a field which is bounded by a post and rail timber fence with some intermittent trees and hedging along the boundaries. Highway verge separates the field from Stockton Road and A689 junction. A pavement runs along the opposite side of Stockton Road.
2. The sign is already in place and the current proposal therefore seeks retrospective advertisement consent.
3. The flat sales sign comprises dibond panels measuring 3 metres by 3 metres in size, the base of the sign erected 1.5 metres from ground level. The sign is pole mounted, non illuminated and in the main purple, white and red, the current corporate colours of Taylor Wimpey. It advertises the Eden Drive Taylor Wimpey residential development which is ongoing on a site to the west of Stockton Road following the recent receipt of planning permission
4. The application is being reported to Planning Committee at the request of Councillor Robinson due to concerns over the proliferation of signs potentially distracting drivers and one building site does not need 3 advertising signs of the size Wimpey has in such close proximity.

PLANNING HISTORY

5. Outline planning permission was granted on appeal in October 2016 with all matters reserved except access for up to 220 dwellings together with full planning permission for a further 80 dwellings.

6. In 2017 the reserved matters (appearance, landscaping, layout and scale) pursuant to the outline element of the planning permission (DM/17/01322/RM). The reserved matters included the erection of 197 dwellings and associated works. The approved site is bordered to the east by Stockton Road, stables and associated agricultural land and to the south by the A689 dual carriageway and associated roundabout, Thurlow Road, Eden Drive and associated properties lie to the north whilst to the west the application site borders the rear of properties on The Meadows. This site is currently being developed by Taylor Wimpey and the sign relates to this development.
7. The wider site within which the sign has been erected was the subject of an outline application for the erection of up to 150 dwellings (all matters reserved). This was refused and following public inquiry held in June/ July 2017. The Planning Inspector dismissed the appeal (application reference DM/15/02626/OUT)
8. An additional sign the subject of another retrospective application had been erected in the field to the west of Stockton Road (DM/18/01107/AD). Following discussion Taylor Wimpey have confirmed that this sign will be removed and the application withdrawn.

PLANNING POLICY

NATIONAL POLICY:

9. The NPPF and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended) stipulate that advertisements should only be subject to control in the interests of amenity and public safety, taking into account the provisions of the development plan where material and any other relevant factors.
10. The Government has consolidated all planning policy statements, guidance notes and many circulars into a single policy statement, the National Planning Policy Framework (NPPF), although the majority of supporting Annexes to the planning policy statements are retained. The overriding message is that new development that is sustainable should go ahead without delay. It defines the role of planning in achieving sustainable development under three topic headings – economic, social and environmental, each mutually dependent.
11. The presumption in favour of sustainable development set out in the NPPF requires local planning authorities to approach development management decisions positively, utilising twelve ‘core planning principles’. The following elements of the NPPF are considered relevant to this proposal;
12. In accordance with paragraph 215 of the NPPF, the weight to be afforded to relevant saved local plan policy will depend upon the degree of consistency with the Framework. The greater the consistency, the greater the weight. The relevance of this issue is discussed, where appropriate, in the assessment section of this report.
13. NPPF Part 7 - Requiring Good Design. The Government attaches great importance to the design of the built environment, with good design a key aspect of sustainable development, indivisible from good planning.
14. NPPF Part 12 - Conserving and Enhancing the Historic Environment. Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets

are an irreplaceable resource and conserve them in a manner appropriate to their significance.

<https://www.gov.uk/guidance/national-planning-policy-framework>

LOCAL PLAN POLICY:

15. The development plan is the Sedgefield Borough Local Plan saved policies:
16. Policy D1 - General principles for the layout and design of new developments - requires the layout and design of all new developments to take account of the site's relationship to the adjacent land uses and activities.
17. Policy E18 - Preservation and Enhancement of Conservation Areas. Requires that development proposals preserve or enhance the character and appearance of Conservation Areas.

RELEVANT EMERGING POLICY:

The County Durham Plan

18. Paragraph 216 of the NPPF says that decision-takers may give weight to relevant policies in emerging plans according to: the stage of the emerging plan; the extent to which there are unresolved objections to relevant policies; and, the degree of consistency of the policies in the emerging plan to the policies in the NPPF. An 'Issues & Options' consultation was completed in 2016 on the emerging the County Durham Plan (CDP) and the 'Preferred Options' was approved for consultation at Cabinet in June 2018. However, the CDP is not sufficiently advanced to be afforded any weight in the decision making process at the present time.

The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.cartoplus.co.uk/durham/text/00cont.htm>.

CONSULTATION AND PUBLICITY RESPONSES

STATUTORY RESPONSES:

19. *Sedgefield Town Council* – Object to the application for a number of reasons. The size and scale of the signage being a distraction to drivers and therefore poses potential road safety implications. The field in which the signage is already being displayed does not relate to the development being promoted and gives a false impression that this site has already been given authorization for development when this is not the case. Town Councillors believe there is already sufficient advertising signage in this area of the Town. If permission for the siting of these signs was granted the Town Council feel it would be unacceptable to allow such to remain in place until 2024 and that a maximum 3 year time period should be set.
20. *Highways Authority* – The sign is located on private land outside the public highway and as such has no highway implications.

INTERNAL CONSULTEE RESPONSES:

21. *Design and Conservation* – No objection.

PUBLIC RESPONSES:

22. *Councillor Robinson* – Request that the application is considered by Committee due to concerns over the proliferation of signs potentially distracting drivers and one building site does not need 3 advertising signs of the size Wimpey has in such close proximity.
23. The application has been publicised by way of a site notice.
24. Sedgefield Civic Trust object to the application as they consider in its present position it gives the impression that there is going to be further housing development on that piece of land by the developer. It is a manipulation of planning law to erect the sign without permission. If a sign is required it should be moved on their side of the road and in a suitable position which does not affect the visual outlook of the Conservation Area for which Stockton Road is part.
25. 2 parties have also made representations objecting to the signage for the following reasons:

The sign is an eyesore - a motorway size sign in ugly colours, unsightly in nature, also unnecessary as the vendor has a standard yellow housing sign before the road turning, therefore the application should be rejected.

This is a blatant manipulation of the planning law, with the sign being erected before the planning permission was applied for and should be dealt with by way of immediate removal of the sign.

The sign creates a precedent for advertising signs on a previously unspoiled entrance to the village and may lead to other signage being requested at the entrance to the settlement.

The sign could be taken as a precedent for building houses on a site for which planning permission has already been rejected and therefore must be removed.

Queries also relate to claims on the land.

APPLICANTS STATEMENT:

26. Taylor Wimpey firstly wish to apologise for retrospectively applying for the advertisement consents for our residential development off Stockton Road. There appears to have been a lack of communication and understanding when arranging the signage and we are keen to rectify this and not repeat this mistake at both our Sedgefield development and our developments across the region.
27. We understand that this has caused upset to both the residents and Town Council for which we must stress this was not our intention and are sorry for any inconvenience this may have caused.
28. Following concerns raised regarding the signage we have agreed to remove the sales sign that is currently erected on the adjacent field to our development (Ref DM/18/01107). (A plan attached identifies the location of the sign to be removed and the remaining signs which require consent. The sales sign (marker 03) is currently located within the highway verge but is to be relocated as soon as possible to within our development boundary.
29. Signage is essential for new developments but Taylor Wimpey are fully aware that this must be designed and located in a sensitive and safe way especially on one of the main

approaches to Sedgefield. Again, we apologise for any inconveniences we may have caused and are hopeful the Council will give consent for application DM/18/01469/AD.

PLANNING CONSIDERATIONS AND ASSESSMENT

30. The NPPF and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended) stipulate that advertisements should only be subject to control in the interests of amenity and public safety, taking into account the provisions of the development plan where material and any other relevant factors.
31. National Planning Policy Framework Part 7 paragraph 67 states that; poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Amenity

32. "Amenity" is not defined exhaustively in the Regulations. It includes aural and visual amenity and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, the local planning authority should consider the local characteristics of the neighbourhood and whether signage is in scale and in keeping with the area.
33. In addition policies within the Development Plan may also be taken into account where relevant. In this respect it is considered that policy D1 is applicable and material to the consideration of the proposals. Policy D1 requires that the layout and design of all new developments take account of the site's natural and built features and its relationship to the adjacent land uses and activities.
34. As outlined above a number of objections have been received from the Town Council, the Civic Trust and a number of third parties. Objections relate to the size and colour of the sign, visual impact upon the Conservation Area in addition to the fact that there is already sufficient advertising signage in this area of the town.
35. The wider site within which the sign has been erected in a field that is visually prominent on approaches to it particularly from the south and east. The site contains no landscape or ecological designations with no public rights of way within or adjacent to it. Sedgefield Conservation Area is located approximately 300 metres to the north west. (The boundary of the Conservation Area running alongside dwellings within Thurlow Road, upto 1 Stockton Road and St Edmunds Terrace).
36. The Council's Design and Conservation has commented on the application advising that the advertisement is located some distance outside the boundary of the Sedgefield Conservation Area. It is of a scale and design which will not be harmful to the setting of designated assets and further is of a transient nature and on this basis raises no objection.
37. It is acknowledged that the design and colour of the sign is of a standard corporate approach and that there are a number of signs including flags, which are displayed within the development site itself. It is also noted that Storey Homes, who are developing the site to the west also have elements of signage.

38. It is not however unreasonable to expect developers to want to provide signage to direct the public toward their developments. The sign has been positioned close to the edge of the field and in close proximity to the throughfare leading into Sedgefield and the carriageway. There are also a number of trees, hedging, traffic signs and lighting columns in the immediate vicinity. The sign is seen against this context. The design, appearance and siting of the sign is not so visually obtrusive as to be detrimental to the visual amenity and general characteristics of the locality.
39. (The advertisements raise no issues with regards to aural amenity considerations). It is not considered that there would be any adverse impact on the setting of the conservation area or the designated heritage assets within.
40. Despite objection the sign is not considered to harm the visual amenity, complying with NPPF and policy D1 of the Local Plan.

Public Safety

41. All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. In assessing an advertisements impact upon public safety, the vital consideration, in assessing an advertisements impact is whether the advertisement itself, or the exact location proposed for its display, is likely to be distracting or confusing, that it creates a hazard to, or endangers people's safety.
42. Objections relate to road safety issues with the sign being distracting to people.
43. The Highways Authority has been consulted on the application and comment that the sign is located on private land set back and outside the public highway and as such has no highway implications.
44. Despite objection, the sign is considered to be located in a suitable location and at a suitable height. Whilst visible from the road would not, it is considered, appear overly distracting to users of the highway or footpath networks. The sign is therefore considered to be acceptable in terms of impact upon public safety also, complying with the NPPF and Local Plan policy D1.

Other Issues:

45. The Town Council has also commented that should consent be granted for the siting of the sign a maximum 3 year time period should be set. Advertisement consent usually lasts for 5 years but a Local Planning Authority has discretion and can grant consent for a longer or shorter period. This issue has been raised with the agent and as they envisage a presence on site for a minimum of 5 years (based on the sale of plots per annum) they would wish to see the sign in place for a period longer than 3 years. If the site was complete prior to the 5 years the sign would be removed earlier. They have also confirmed that the sign would be inspected regularly and maintained to a high standard.
46. A refusal of the application could not be sustained on the grounds that the sign could be taken as a precedent for building houses on the site or that it gives the impression that there is going to be further housing development on that piece of land. This would require separate planning permission and raises issues beyond those associated with advertisement control.

47. It is appreciated that comments have been received which consider the erection of the sign without permission is a manipulation of planning law and should be dealt with by way of immediate removal. Nevertheless it is possible to apply for retrospective consent after works have been completed and the Local Planning Authority is required to assess an application the same way as any other. The possibility of enforcement action could only be considered if the application is deemed unacceptable and following any take up of the applicants right to appeal against the decision). The applicant has confirmed that the sign currently displayed in the opposite field is to be removed.
48. The agent has also confirmed that they have a license agreement in place with the land owner.

CONCLUSION

49. The application relate to a housebuilders sign off a main approach into Sedgefield that is intended to direct the public to an ongoing development. Whilst it is within an open setting and does not directly relate to the land on which it is situated, its position appearance and size are such that it not considered unacceptable in amenity and public safety terms. Notwithstanding the objections that have been received the application is therefore considered to satisfy the requirements of the NPPF and relevant Local Plan Policies and therefore approval is recommended.

RECOMMENDATION

That the application be **APPROVED** subject to the following conditions:

1. The development hereby approved shall be carried out in strict accordance with the following approved plans:
EDEN/SIGNS Signage Location Plan (amended) received 5 July 2018
PA/19/3/18 Flat Sign details received 15 May 2018
Reason: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy D1 of the Sedgefield Borough Local Plan and the NPPF
2. 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.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).
3. No advertisement shall be sited or displayed so as to –
endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).
4. 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.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

5. 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.

Reason: To comply with the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

6. 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 the requirements of the NPPF and Circular 03/07 Town and Country Planning (Control of Advertisements).

7. This consent shall be valid only for a period of five years from the date hereof. At the expiration of that period the advertisements referred to in Part 1 shall be removed within 14 days and the site shall be reinstated to the satisfaction of the local planning authority.

Reason: In accordance with the provisions of Regulation 14(7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

STATEMENT OF PROACTIVE ENGAGEMENT

The Local Planning Authority in arriving at its decision to approve the application has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner, with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF. (Statement in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

BACKGROUND PAPERS

Submitted Application Forms, Plans and supporting documentation
Sedgefield Borough Council Local Plan
National Planning Policy Framework
Response from the Highway Authority
Internal response from Design and Conservation
Public consultation responses



Planning Services

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Non illuminated pole mounted sales sign (retrospective)

Comments

Date 19 July 2018