

**REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE**  
**7 June 2023**

**REFERENCE:** HW/ADV/23/00053

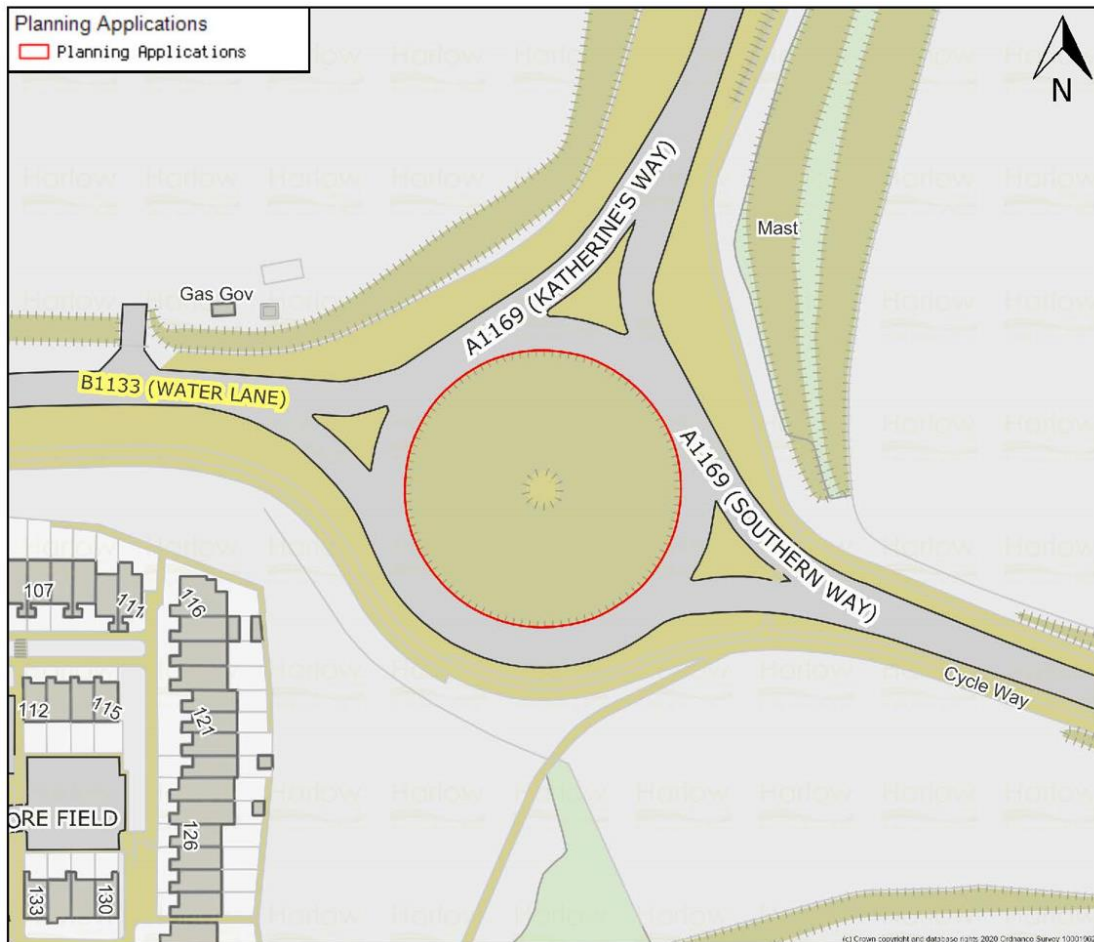
**OFFICER:** Chris Walter

**APPLICANT:** Mr Steve Green

**LOCATION:** Advertisement Board at Water Lane/Katherine's Way/Southern Way Roundabout, Water Lane, Harlow, Essex, CM19 5RX

**PROPOSAL:** Retrospective planning consent for the erection of a 1.8m high fence

**LOCATION PLAN**



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**REASON BROUGHT TO COMMITTEE:** Multiple objections have been received which are contrary to the officer recommendation.

## Application Site and Surroundings

The subject site relates to the Water Lane/Katherine's Way/Southern Way roundabout within Sumners and Kingsmoor. To the south-east of the roundabout is the Paringdon Sports and Social Club, to the east is Deer Park, to the north-west is Tithelands, and to the south-west is Sycamore Field.

The roundabout is not located within a conservation area, or within the setting of listed buildings.

## Details of the Proposal

The proposal seeks advertisement consent for the erection of three non-illuminated sponsorship signs on the Water Lane/Katherine's Way/Southern Way roundabout.

The hoarding of each sign would measure 0.5 metres in height and 1 metre in width and be set 0.3 metres above ground level. They would be fabricated in steel and aluminium powder coated finish, with vinyl graphics applied. Each sign would be sited at least three metres away from the edge of the highway.

## RELEVANT PLANNING HISTORY:

Planning Applications

<b>Application Number</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
HW/ADV/23/00049	Erection of 3 no. sponsorship signs to be placed on the Roydon Road/A1169 Elizabeth Way Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00050	Erection of 3 no. sponsorship signs to be placed on the Roydon Road/Parkway Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00051	Erection of 4 no. sponsorship signs to be placed on the Parkway/Greenway Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00052	Erection of 3 no. sponsorship signs to be placed on the Flex Meadow Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00054	Erection of 4 no. sponsorship signs to be placed on the Water Lane/Brookside/Broadley Road Roundabout	Grant Advertisement Consent	11.04.2023
HW/ADV/23/00055	Erection of 4 no. sponsorship signs to be placed on the Southern Way/Abercrombie Way Roundabout	Grant Advertisement Consent	11.04.2023
HW/ADV/23/00056	Erection of 3 no. sponsorship signs to be placed on the Third Avenue/Haydens Road Roundabout	Grant Advertisement Consent	11.04.2023
HW/ADV/23/00057	Erection of 4 no. sponsorship signs to be placed on the Third	Grant Advertisement	11.04.2023

	Avenue/Second Avenue/Velizy Avenue Roundabout	Consent	
HW/ADV/23/00060	Erection of 4 no. sponsorship signs to be placed on the Fourth Avenue/Velizy Avenue/First Avenue Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00061	Erection of 4 no. sponsorship signs to be placed on the Hammerskjold Road/Fifth Avenue/Sainsbury's Roundabout	Grant Advertisement Consent	05.04.2023
HW/ADV/23/00062	Erection of 4 no. sponsorship signs to be placed on the Fourth Avenue/Haydens Road Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00063	Erection of 5 no. sponsorship signs to be placed on the Fifth Avenue/Elizabeth Way/Edinburgh Way Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00064	Erection of 4 no. sponsorship signs to be placed on the Edinburgh Way/Edinburgh Gate/Toby Carvery Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00065	Erection of 4 no. sponsorship signs to be placed on the Edinburgh Way/Howard Way Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00066	Erection of 2 no. sponsorship signs to be placed on the Howard Way/Oaks Retail Park Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00067	Erection of 4 no. sponsorship signs to be placed on the Howard Way/First Avenue Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00068	Erection of 4 no. sponsorship signs to be placed on the Howard Way/Second Avenue/Tillwicks Road Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00069	Erection of 4 no. sponsorship signs to be placed on the Second Avenue/Clocktower Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00070	Erection of 4 no. sponsorship signs to be placed on the Southern Way / A414 Roundabout	Grant Advertisement Consent	12.04.2023
HW/ADV/23/00081	Erection of 3 no. sponsorship signs to be placed on the A414/A1025/Church Langley Way Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00082	Erection of 4 no. sponsorship signs to be placed on the	Grant Advertisement	21.04.2023

	Church Langley Way/Kiln Lane Roundabout	Consent	
HW/ADV/23/00083	Erection of 3 no. sponsorship signs to be placed on the London Road/The Chase Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00084	Erection of 4 no. sponsorship signs to be placed on the London Road/Gilden Way Roundabout	Grant Advertisement Consent	19.04.2023
HW/ADV/23/00085	Erection of 4 no. sponsorship signs to be placed on the A414/First Avenue/Mark Hall Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00086	Erection of 5 no. sponsorship signs to be placed on the Edinburgh Way/Cambridge Road/A414 Roundabout	Grant Advertisement Consent	21.04.2023
HW/ADV/23/00087	Erection of 5 no. sponsorship signs to be placed on the Gilden Way/Churchgate St/Old Oak Way Roundabout	Pending Decision	
HW/ADV/23/00088	Erection of 4 no. sponsorship signs to be placed on the Edinburgh Way/River Way/Central Road Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00089	Erection of 2 no. sponsorship signs to be placed on the River Way Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00090	Erection of 3 no. sponsorship signs to be placed on the Fourth Avenue/North Gate Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00091	Erection of 4 no. sponsorship signs to be placed on the Third Avenue/Katherine's Way Roundabout	Grant Advertisement Consent	21.04.2023
HW/ADV/23/00092	Erection of 4 no. sponsorship signs to be placed on the Second Avenue/Tripton Road/Manston Road Roundabout	Grant Advertisement Consent	18.04.2023
HW/ADV/23/00098	Erection of 4 no. sponsorship signs to be placed on the Flex Meadow Roundabout	Grant Advertisement Consent	11.04.2023

## CONSULTATIONS

### Internal and External Consultees

#### Essex County Council - Highways

From a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the Highway Authority's Development

Management Policies, adopted as County Council Supplementary Guidance in February 2011, Policies IN1, IN2 & IN3 of the Harlow Local Development Plan 2020, and the NPPF 2021.

## **Neighbours and Additional Publicity**

Number of Letters Sent: 6

Total Number of Representations Received: 2

Date Site Notice Expired: 23 March 2023

Date Press Notice Expired: N/A

## **Summary of Representations Received**

Two representations were received objecting to the proposal.

Comments on the application are summarised as follows:

Visual Amenity/Landscaping - the land is of high quality green natural space and provides soft natural buffer. A hard sign is not in fitting with the green roundabout. The signs provide no benefit to the people of Harlow directly and add to street and highway clutter signs.

Advertising: In a modern world we are exposed to advertising all the time, it is nice to drive and escape corporation advertisement providing mental health relief to not be force fed advertising.

Officer Comment: Only material planning considerations can be taken into account in the determination of this application.

## **PLANNING POLICY**

### National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2021 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF).

### Harlow Local Development Plan 2020

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the site consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP), Essex County Council (ECC) Essex and Southend-on-Sea Waste Local Plan 2017 and ECC Essex Minerals Local Plan 2014.

The part of the Development Plan applicable to the proposal is the HDLP. The HDLP is prepared in the context of the National Planning Policy Framework (NPPF). It is important to note that this is very recently adopted and therefore 'up to date' plan in terms of NPPF Para.12.

Policies of most relevance to the application are:

PL8: Green Infrastructure & Landscaping

PL13: Advertisements

IN1: Development and Sustainable Modes of Travel

IN2: Impact of Development on the Highways Network including Access and Servicing

IN3: Parking Standards

### **Supplementary Planning Documents (SPD) /Other Guidance**

The following local planning guidance is relevant to this application:

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (adopted December 2021).

ECC Development Management Policies (2020 - living document with regular updates).

Planning Practice Guidance (PPG)

The PPG states that local planning authorities control 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.

### **Summary of Main Issues**

Policy PL13 (Advertisements) of the Harlow Local Development Plan 2020 (HLDP) states that the acceptability of proposals will be assessed on the following criteria:

- (a) the effect the advertisement may have on the general amenity of the area, including the historic environment, and the presence of any features of landscape or cultural significance;
- (b) the position of the advertisement in comparison to the scale and size of the host building;
- (c) the cumulative effect of the development when read with other advertisements on the building or in the surrounding area. The clutter or over-concentration of advertisements must be avoided;
- (d) the size, illumination, scale, dominance and siting of the advertisement and how it relates to the scale and character of the surrounding area;
- (e) the design and materials of the advertisement, or the structure containing the advertisement, and its impact upon the appearance of the building on which it is to be affixed and the character of the surrounding area;
- (f) the size, scale, type and levels of illumination of the advertisement and its impact upon the amenity of people living nearby and the potential for light pollution;
- (g) the impact upon the safety of the public, including highway users.

Policy PL8 of the HLDP indicates green infrastructure and landscaping must be protected and enhanced as part of development. The acceptability of proposals will be assessed on the following criteria:

- (a) new Green Infrastructure and landscaping are well planned, taking into consideration the practicalities and requirements of future management and maintenance, and providing appropriate footpaths, cycleways and bridleways;
- (b) existing Green Infrastructure and landscaping are protected and enhanced and in all cases are sympathetically integrated into the development;
- (c) development makes connections wherever possible to landscaping and Green I infrastructure outside of the site.

Amenity

The signs have been designed to complement the landscaping features of the roundabout and limit the impact on the asset. The design of the signs would not appear visually obtrusive or create uncharacteristic clutter. The existing surrounding green landscaping would be maintained, and the proposal does not result in any unacceptable impact to the wider character and appearance of the area.

### Safety

Policies IN1, IN2 & IN3 of the HLDP require proposals to not cause a severe residual cumulative impact on highway congestion and movement, and not cause a detrimental impact on the safety of all highway users. The signs would be non-illuminated and sited at least three metres away from the edge of the highway. Furthermore, the Highways Officer was consulted and raised no objections to the proposal.

### **Equalities**

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- “(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.

Officers consider that the application does not give rise to any concerns in respect of the above.

### **CONCLUSION**

The proposal demonstrates a sympathetic and subservient relationship with the roundabout’s green infrastructure and landscaping, thereby preserving its character and appearance. It would not result in any unacceptable other amenity or highway safety concerns. The proposal would therefore be in compliance with policies PL8, PL13, IN1, IN2 & IN3 of the HLDP and is recommended for approval accordingly.

### **RECOMMENDATION**

**That Committee resolve to GRANT ADVERTISEMENT CONSENT PERMISSION subject to the following conditions:**

**Conditions**

- 1) (a) This consent is granted for a period of five years commencing on the date of this decision notice.  
 (b) Any advertisement displayed, and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.  
 (c) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.  
 (d) Where any advertisement is required under the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.  
 (e) 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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and to accord with policy PL13 of the Harlow Local Development Plan, December 2020.**
  
- 2) The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.  
**REASON: For the avoidance of doubt and in the interests of proper planning.**

<u>Plan and Document Reference</u>	<u>Date Received</u>
Harlow Roundabout Signage Specifications	15.02.2023
Arrow Electronics Sign Mock Up	15.02.2023
Sign Mock Up	15.02.2023
HAR006 Location Plan	15.02.2023
HAR006 Site Plan	15.02.2023

**INFORMATIVE CLAUSES**

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address these concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable submission, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
  
- 2) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be



advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)