

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE
7 June 2023

REFERENCE: HW/ADV/23/00087

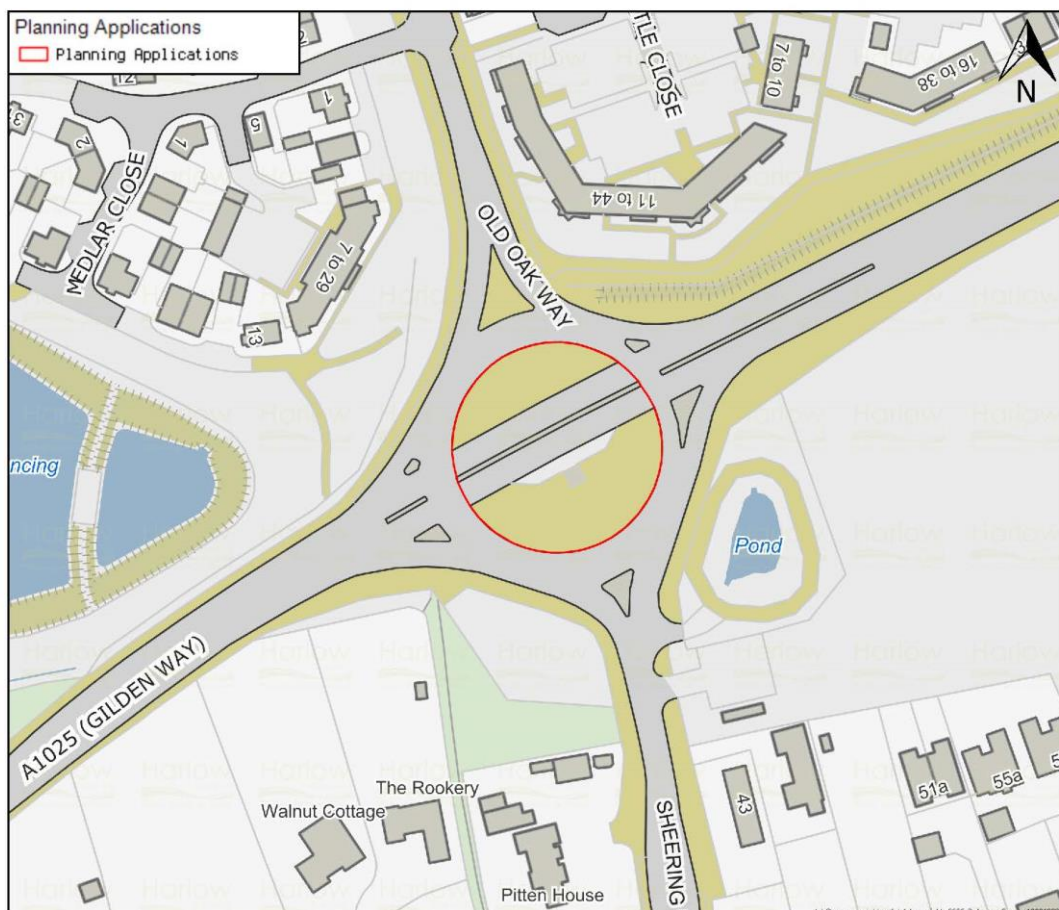
OFFICER: Mick Gavin

APPLICANT: Mr Steve Green

LOCATION: Advertisement Board At Gilden Way/Churchgate St/Old Oak Way Roundabout
Gilden Way
Harlow
Essex
CM17 0GB

PROPOSAL: Erection of 4 no. sponsorship signs to be placed on the Gilden Way/Churchgate St/Old Oak Way Roundabout

LOCATION PLAN



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

Site and surroundings

The site is the roundabout at the junction of Gilden Way (A1025), Old Oak Road and Sheering Road, part of a relatively recent road layout in this part of the town. The roundabout is bisected by Gilden Way.

The roundabout is approximately 80m to the north of the Churchgate Street Conservation Area. It is not considered to be within the setting of the Conservation Area. It is also not within the setting of a listed building.

Proposal

The application as originally submitted was for five signs. The proposal was amended post submission to delete one sign and the application now seeks advertisement consent for four signs.

The proposal seeks advertisement consent for the erection of four non-illuminated sponsorship signs on the roundabout. The hoarding of each sign would measure 0.5 metres in height and 1.0 metre in width and be set 0.3 metres above ground level. The signs would be fabricated in steel and aluminium powder coated finish, with vinyl graphics applied. The signs would be non-illuminated and sited facing the approach lane on each of the four arms of the roundabout, set at least two metres back from the edge of the highway.

The application is one of a suite of applications for similar signage on a number of other roundabouts within Harlow, most of which have been approved under delegated powers. The proposal forms part of a roundabout sponsorship scheme being run by Harlow Council.

RELEVANT PLANNING HISTORY:

Planning Applications

Application Number	Proposal	Status	Decision Date
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	Grant Advertisement Consent	11.04.2023

	Roundabout		
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 Avenue/Second Avenue/Velizy Avenue Roundabout	Grant Advertisement Consent	11.04.2023
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	Grant Advertisement	12.04.2023

	Southern Way / A414 Roundabout	Consent	
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 Church Langley Way/Kiln Lane Roundabout	Grant Advertisement Consent	21.04.2023
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/23/00053	Erection of 3 no. sponsorship signs to be placed on the Water Lane/Katherines Way/Southern Way Roundabout	Grant Advertisement Consent	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

Regardless of the granting of any planning permission the applicant will need to undergo the relevant safety assessments and acquire the relevant consent/licence from the Highway Authority, to operate on, or place anything within, the highway.

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: 50

Total Number of Representations Received: 4

Date Site Notice Expired: 6 April 2023

Summary of Representations Received

Four representation received which object to the proposal. The grounds of objection are summarised below:

- The roundabout is complicated and confusing and has been the site of a number of traffic accidents – further signs will be a further distraction for drivers and a safety hazard which could increase risk of accidents; addition of 5 unnecessary signs would make area more overcrowded and confusing.
- The roundabout is ugly and over engineered so additional signs undesirable; do not fit in with roundabout landscaping; increased urbanisation of out of town location; signs too high, should be ground level; only support one sign.

PLANNING POLICY

Harlow Local Development Plan 2020

PL13: Advertisements

PL1: Design Principles

PL8: Green Infrastructure & Landscaping

IN1: Development and Sustainable Modes of Travel

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

PLANNING STANDARDS

National Planning Policy Framework (NPPF) (2021) - sets out the Government's key economic, social and environmental objectives and the planning policies to deliver them. These policies will provide local communities with the tools they need to energise their local economies, meet housing needs, plan for a low-carbon future and protect the environmental and cultural landscapes that they value. It seeks to free communities from unnecessarily prescriptive central government policies, empowering local councils to deliver innovative solutions that work for their local area.

Supplementary Planning Documents/Current Planning Guidance

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

Para.136 of the NPPF states:

The quality and character of places can suffer when advertisements are poorly sited and designed...Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

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.*

Amenity

In this case amenity is taken to mean the effect on the visual amenity of the site and its setting.

The signs are modest in size, being 1.0m wide and 0.8m above ground level. They would be non-illuminated. The third party comments regarding the cumulative visual impact of the adverts with existing signage are noted, but it is not considered that the installation of these four sign boards would materially worsen the existing appearance of the roundabout and its setting. The setting is at the edge of the town but is a road dominated location where such adverts are not unusual.

It is considered that the proposed advertisements would not cause any significant harm to amenity and refusal on this ground as contrary to policies PL13 and PL1 would not be warranted.

Safety

In this case safety relates to road traffic safety.

As above, the proposed signs are non-illuminated and modest in scale. While they would be visible from the approaches to the roundabout it is not considered they would constitute a hazard in terms of driver distraction. The boards are not unexpected features on urban roundabouts. The Highway Authority (HA) did not object to the application. On a request for further comment in light of third-party concerns, the HA has stated:

The presence of advertising signs on roundabouts has long been established across the country and there is no evidence to suggest that there is any detriment to highway safety as a result of their implementation.

It is considered that the proposal is not considered to conflict with policies IN1 and PL13 in respect of safety.

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

It is not considered that the proposed signs would result in any unacceptable adverse impacts on either visual amenity or highway safety, and the proposal is considered acceptable pursuant to these matters and policy PL13 of the Harlow Local Development Plan 2020.

RECOMMENDATION

That Committee resolve to GRANT ADVERTISEMENT CONSENT PERMISSION subject to the following 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 Plan and Document Reference Date Received

<u>Plan and Document Reference</u>	<u>Date Received</u>
HAR028 Location Plan	27.02.2023
HAR028 Site Plan	22.03.2023
Harlow Roundabout Signage Specifications	27.02.2023

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

INFORMATIVE CLAUSES:

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission 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