

# APPLICATION REPORT - AD/341557/18

Planning Committee, 6 June, 2018

**Registration Date:** 15/03/2018  
**Ward:** Alexandra

**Application Reference:** AD/341557/18  
**Type of Application:** Advertisement consent

**Proposal:** A "gateway feature" to identify the entry point of Holts Village.  
**Location:** Land at junction of Wildmoor Avenue and Lees New Road,  
Oldham, OL4 5PJ  
**Case Officer:** Richard Byrne

**Applicant** FCHO  
**Agent :** FCHO

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## THE SITE

This application relates to the northern section of a parcel of land which is part of a wider swath of amenity space between Covert Road and Lees New Road. The application site is bounded by Covert Road, Wildmoor Avenue and Lees New Road.

## THE PROPOSAL

Advertisement Consent is sought for a double sided non-illuminated freestanding totem sign. The proposed sign is set on a stone plinth and with a 1.95 metre high stone support. The sign, including the stone support measures 3.42 metres in height, 1.89 metres in width (sign is 1 metre) by 600 mm in depth.

The sign is aluminium with vinyl applied lettering against a white background. There is a detailing at the top of the sign representing a roof slope of a property.

This application has been submitted in retrospect as part of the sign has been erected.

## RELEVANT HISTORY OF THE SITE

None.

## CONSULTATIONS

Highway Engineer Does not wish to restrict the granting of Advertisement Consent.

## REPRESENTATIONS

The application has been advertised by notification letters and a site notice. As a result of the publicity 11 individual representations and a signed petition containing 124 signatures have been received. The comments are summarised as follows:

### *Amenity*

- The proposed feature by reason of its size, width, height, colour and materials is not in-keeping with the design and character of the properties or the landscape in the surrounding area;
- Large and imposing, made of unnatural materials and is aesthetically unpleasant;

- The feature is greatly imposing on the natural beauty and landscape of a rural area- it is plastic and its materials are not in keeping with the immediate surroundings
- Will have a negative visual impact on the open view over countryside around Hartshead Pike.
- Will have an unacceptably adverse impact on the amenities of the properties within view of the sign, by reason of its overbearing impact and its distinct deviation from the appearance of the local environment; and,
- Adversely affect outlook of nearby properties.

#### *Public safety*

- The sign is poorly located, right next to a junction, which obstructs the view of traffic approaching off Wildmoor Ave;
- Attract gatherings of young people and its location close to the mini-roundabout will constitute a heightened and unacceptable safety risk for young people, motorists, pedestrians and cyclists;
- The feature is a hazard for motorists and cyclists because it is a distraction when approaching a busy roundabout where people are already confused about right of way/ risk of collision/ injury; and,
- Attract anti-social behaviour.

#### *Other matters*

- Attract vandalism, as evidenced by previous graffiti on nearby features and a potential hazard for young people playing on or around the feature, as evidenced by similar incidents at features at this location and along Lees New Road;
- Money could be spent elsewhere in the area;
- Purports that Holts is owned and operated solely by First Choice Homes;
- Will affect perception for people wishing to move into the area;
- Will effect house prices and sales;
- Will act as a climbing frame for children;
- Wording on the sign is inaccurate- it advertises the area as a village, this is not the case as a village. This must include certain public amenities such as a church/ place of worship; and,
- Community was not consulted by FCHO.

This application has been referred to Planning Committee by Councillor S Mushtaq in accordance with the Council's Scheme of Delegation.

### **PLANNING CONSIDERATIONS**

The proposal should be assessed against Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework. Advertisements should be subject to control only in the interests of amenity and public safety, these being the two fundamental control practice criteria embedded in Regulation 3.

The NPPF advocates that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Only advertisements which have an appreciation of the impact on a building or on their surroundings can be considered acceptable in the interests of amenity and public safety, which takes into account the overall cumulative impact with other advertisements in the surrounding area.

DPD Policy 9 stipulates that proposals will be permitted where they do not have a significant, adverse impact on the visual amenity of the surrounding area, including local landscape and townscape. DPD Policy 20 provides an overarching emphasis of promoting high quality design in developments in order that they reflect the character and distinctiveness of the area in accordance with 10 design principles.

#### **Amenity**

The effect on amenity can be defined as the impact on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

There are no mechanical parts on or inside the proposed advertisement sign or means of emitting noise. As such it is not considered the proposal would not harm the aural amenity of the area.

Turning to the effect on visual amenity, the land surrounding the application site forms part of a wider swath of public open space which runs adjacent to Lees New Road and then makes a return up Wildmoor Avenue. The footways which immediately surround the application site are populated by street lighting columns, a road traffic sign and telecommunication cabinets. The amenity space contributes towards the views and vistas in the area and makes a visual link between the existing residential area and the open countryside to the southeast.

It is not considered the proposed totem sign in terms of its height and massing would harm the visual amenity of the area. Although the proposed totem's height would project 3.5 metres, it is noted the approach along Lees New Road (in either direction), Covert Road and Wildmoor Avenue already has the presence of existing tall street furniture in its respective vista. As such, it is considered the proposed totem would not be a significant deviation or detract from the existing vistas. The proposal would introduce a tall structure into an area already populated by existing structures and is therefore considered to assimilate with the current views and vistas around the application site.

Taking into account the general spaciousness around the proposed totem sign it is not considered the ratio between the proposed height and its distance to the edge of the footway is disproportional and would have the perception of being out of scale with passers-by or within the wider streetscene.

It is noted there are views to the south east out over the open countryside. Nevertheless, the views have the presence of the street furniture, particularly the street lighting columns, in the immediate skyline. It is not considered the height and width of the proposed totem would significantly injure the existing views out into the open countryside.

Residents and passers-by will inevitably be aware of the proposed totem sign. However, the size of the font is considered to be proportional with the width of the sign and its colour scheme would not be in stark contrast with the sign or the surrounding area. The detailing at the top of the sign adds visual interest, promoting its intention as being a gateway feature.

It is considered the overall design including its plinth and stone support is considered to be acceptable in the interests of amenity

### **Public safety**

Public safety is defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians.

It is considered the proposed totem is sufficiently set back from the edge of the footway to maintain visibility for vehicles on the approaches and using the staggered junction of Covert Road and Wildmoor Avenue.

Similarly it is considered there is a sufficient degree of visibility afforded to vehicles on the approach to the roundabout with Lees New Road from Wildmoor Avenue.

It is not considered the proposed totem sign would hinder a vehicle's view of the approach to the Lees New Road's mini roundabout. As such the proposed totem sign does not have adverse bearing on the safe use of the highway by vehicular traffic.

In respect of pedestrian traffic the proposed totem is positioned in an open area of amenity

space and views can still be gained in and around the proposed totem.

### **Other matters**

In regard to the potential of vandalism Members attention is drawn to the Advertisement Regulations where at Schedule Two it sets out five standard conditions which are enforceable by the Local Planning Authority. Of particular relevant are conditions three and four which state:

“...Any advertisement must be maintained in a condition that does not impair the visual amenity of the site...” and,

“...Any advertisement hoarding or structure is to be kept in a condition which does not endanger the public...”

The two above conditions would place the onus on the applicant to ensure that an act of vandalism will be rectified should this be an occurrence. Failure to maintain the proposed totem in an acceptable condition would become an enforceable matter.

The congregation of groups or the sign being used for other purposes that would create a potential disturbance would be a matter that would be addressed through other appropriate authorities. It is not considered the proposed totem sign would in itself pose a significant public safety risk.

It is noted the concerns expressed regarding the effect on house prices. In this respect the effect on house prices this is not a material consideration that can be taken into account in assessing this proposal.

In respect of the content of the sign, unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused if it is considered the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public morals. It should be noted that this report considers the proposed totem is not harmful to amenity or public safety.

### **Conclusion**

It is considered the proposed totem sign would not harm the amenity of the surrounding area and would not harm public safety.

Taking all the factors into account it is therefore recommended for approval.

### **RECOMMENDATION**

Approve, subject to the following conditions:

1. The consent hereby granted is for a period not exceeding FIVE YEARS from the date of this consent.

Reason - Required to be imposed pursuant of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. The advertisement hereby granted consent shall be displayed entirely in accordance with the following plans and specifications:

Location of proposed totem scaled 1:500 - received 29 March 2018;  
Drawing Number: E5512-01 - received 15 March 2018; and,  
Drawing showing sign and dimensions (ref: E/5512-2) - received 15 March 2018.

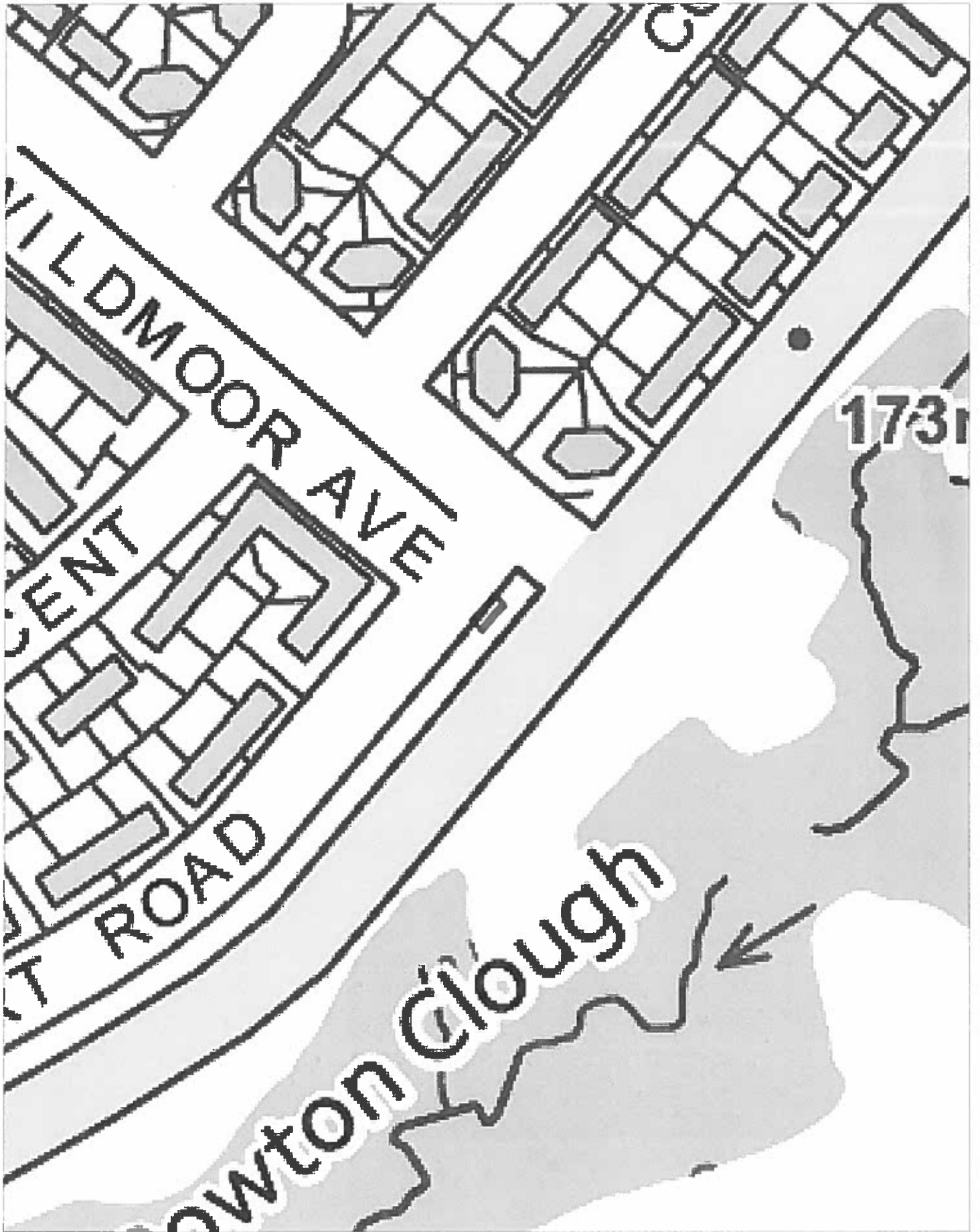
Reason - To ensure that the display is carried out in accordance with the approved plans and specifications.

3.
  - A. 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.
  - B. 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.
  - C. 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.
  - D. 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.
  - E. 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 - Required to be imposed pursuant of the Town and Country Planning (Control of Advertisements) Regulations 2007.



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# **PLANNING COMMITTEE - BACKGROUND PAPERS**

## **REPORT OF THE HEAD OF PLANNING AND INFRASTRUCTURE**

### **PLANNING AND ADVERTISEMENT APPLICATIONS**

The following is a list of background papers on which this report is based in accordance with the requirements of Section 100D (1) of the Local Government Act 1972. It does not include documents, which would disclose exempt or confidential information defined by that Act.

### **THE BACKGROUND PAPERS**

1. **The appropriate planning application file:** This is a file with the same reference number as that shown on the Agenda for the application. It may contain the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - A list of consultees and replies to and from statutory and other consultees and bodies
  - Letters and documents from interested parties
  - A list of OMBC Departments consulted and their replies.
2. **Any planning or advertisement applications:** this will include the following documents:
  - The application forms
  - Plans of the proposed development
  - Certificates relating to site ownership
  - The Executive Director, Environmental Services' report to the Planning Committee
  - The decision notice
3. Background papers additional to those specified in 1 or 2 above or set out below.

### **ADDITIONAL BACKGROUND PAPERS**

1. The Adopted Oldham Unitary Development Plan.
2. Development Control Policy Guidelines approved by the Environmental Services (Plans) Sub-Committee.
3. Saddleworth Parish Council Planning Committee Minutes.
4. Shaw and Crompton Parish Council Planning Committee Minutes.

These documents may be inspected at the Access Oldham, Planning Reception, Level 4 (Ground Floor), Civic Centre, West Street, Oldham by making an appointment with the allocated officer during normal office hours, i.e. 8.40 am to 5.00 pm.

Any person wishing to inspect copies of background papers should contact Development Management telephone no. 0161 770 4105.

