

SCHEDULE A: Applications with Recommendation

19/0692

Item No: 11

Date of Committee: 22/11/2019

Appn Ref No:
19/0692

Applicant:
Genesis Homes

Parish:
Burgh-by-Sands

Agent:
Genesis Homes

Ward:
Dalston & Burgh

Location: Land Adjacent To King Edwards Fauld, Burgh By Sands, Carlisle, CA5 6AR

Proposal: Display Of 2no. Non Illuminated Post Mounted Signage Panels And 2no. Flag Poles (Retrospective)

Date of Receipt:
12/09/2019

Statutory Expiry Date
07/11/2019

26 Week Determination

REPORT

Case Officer: Stephen Daniel

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Impact On Amenity
2.2 Impact On Public Safety

3. Application Details

The Site

- 3.1 The site which covers an area of approximately 1 hectare is located on the edge of Burgh-by-Sands, immediately adjacent to the residential development of King Edwards Fauld and directly to the west of dwellings on Amberfield. Burgh-by-Sands Primary School lies approximately 40m to the south-east of the application site.
- 3.2 The site is allocated for housing in the adopted Local Plan. The site lies within the Hadrian's Wall World Heritage Site Buffer Zone and lies adjacent

to the Burgh-by-Sands Conservation Area.

- 3.3 In June 2019, planning permission was granted for the erection of 24 dwellings and associated infrastructure on this site (18/1088). These dwellings are currently under construction.

The Proposal

- 3.4 This proposal is seeking advertisement consent (retrospective) to display two non-illuminated post mounted signs and two flag poles whilst the dwellings are under construction. The signs and flag poles would be located in the front garden of Plot 22, adjacent to Amberfield. One sign and flag pole would be located at the northern end of the front garden with another sign and flag pole being located at the southern end, adjacent to the new access into the site.
- 3.5 The signs would measure 3.95m in height by 1.2m in width, with the bottom of the sign being 0.5m above ground level. The signs, which would be double sided, would contain details of: the developer including a logo; the proposed development including photomontages of the dwellings; opening times; and a contact phone number. The signs would be digitally printed aluminium composite panels with the background being predominately grey and green and the lettering being predominantly white and green.
- 3.6 The flag poles would measure 6m in height. The flags, which would be double sided, would measure 2.5m in height by 0.84m in width, with the bottom of the flag being 3.5m above ground level. The flags would display details of the developer, including a logo and would be predominantly grey and green, with the lettering being mainly white and green. The flag poles would be aluminium, with the flags being a synthetic material.

4. Summary of Representations

- 4.1 This application has been advertised by means of a site notice and notification letters sent to three neighbouring properties. No verbal or written representations have been made during the consultation period.

5. Summary of Consultation Responses

Cumbria County Council - (Highways & Lead Local Flood Authority): - no objections;

Burgh-by-Sands Parish Council: - object to flag poles as they would not enhance the appearance of the area or protect the amenity of existing housing. The signage should be sufficient for a limited period of time and would request a discontinuance notice;

Historic England - North West Office: - does not wish to comment.

6. Officer's Report

Assessment

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The relevant local planning policies against which the application is required to be assessed is Policy SP6 of the Carlisle District Local Plan (2015-2030). The National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) and the Town and Country Planning (Control of Advertisements) (England) Regulations are also material considerations in the determination of this application.
- 6.3 Applications for advertisement consent are assessed on grounds of 'amenity' and 'public safety'.
 1. Impact Upon Amenity
- 6.4 Paragraph 132 of the NPPF requires that advertisement proposals are appropriate to the character of the surrounding area and that the amenity of the surrounding area is protected. Whilst "amenity" is not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, according to the Planning Practice Guidance, "amenity" is usually understood to mean the effect 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.
- 6.5 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 also requires the local planning authority to take into account the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest, and to consider whether the proposed advertisement is in scale and in keeping with the local features, when determining an application for consent for the display of advertisements.
- 6.6 The flag poles and free standing signs would be located within the front garden of Plot 22, in close proximity to Amberfield. The proposed signage would be located in an appropriate location so that it is visible from the adjacent highway.
- 6.7 Burgh-by-Sands Parish Council has objected to the flag poles which they consider would not enhance the appearance of the area or protect the amenity of existing housing. It considers that the signage should be sufficient for a limited period of time. However, the provision of flag poles and free standing signs to advertise a new housing development is standard practice amongst house builders and the provision of two sign and two flags is considered to be reasonable. The scale and design of the signage and

flag poles, which are only temporary whilst the dwellings are under construction and for sale, is considered to be acceptable. The signs and flags would be removed after five years or once the last dwelling is sold and this would be ensured by condition.

- 6.8 In light of the above, the proposed signs and flags are considered to be acceptable and would not have an adverse impact upon the amenity of the surrounding area.

2. Impact On Public Safety

- 6.9 The proposed advertisements would be visible from the adjacent public highway (Amberfield) and are likely to attract the attention of drivers travelling along the road. However, given the scale and physical relationship with the highway, it is unlikely that the signage would cause sufficient distraction that could adversely affect highway safety.
- 6.10 The proposal has been subject to an assessment by the Highway Authority to consider any highway safety implications with Highway Officers offering no objection to the proposal. Accordingly, the proposals are not considered to give rise to any issues that would jeopardise highway safety.

Conclusion

- 6.11 In overall terms, the proposed signs and flags are considered to be acceptable and public safety and the visual character of the area would not be adversely affected as a result of this proposal. In all aspects, the proposed signs and flags would be in compliance with the objectives of the relevant policies.

7. Planning History

- 7.1 In June 2016, outline planning permission was approved for residential development on this site (15/0617).
- 7.2 In June 2019, planning permission was granted for the erection of 24 dwellings and associated infrastructure (18/1088).

8. Recommendation: Grant Permission

1. The signage shall be removed within 21 days of the sale of the last property within the development or by the 22nd November 2024 whichever is the sooner.

Reason: The consent relates solely to the display of the signage during construction and marketing of the housing development to which it relates and when that development is completed and all dwellings are sold, the local planning authority requires that all the advertisements are removed in the interests of the visual

amenity of the area to support the objectives of paragraph 132 of the National Planning Policy Framework and Policy SP6 of the Carlisle District Local Plan 2015-2030.

2. The development shall be undertaken in strict accordance with the approved documents for this Advertisement Consent which comprise:

1. Submitted Planning Application Form, received 12th September 2019;
2. Site Location Plan (Dwg No. P(100)001) received 5th September 2019;
3. Proposed Site Plan (Dwg No. P(100)001 Rev G) received 5th September 2019;
4. Details of post mounted signage, received 8th October 2019;
5. Details of flag poles and flags, received 8th October 2019;
6. the Notice of Decision.

Reason: To define the permission.

3. 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 accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. 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 accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. 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 accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

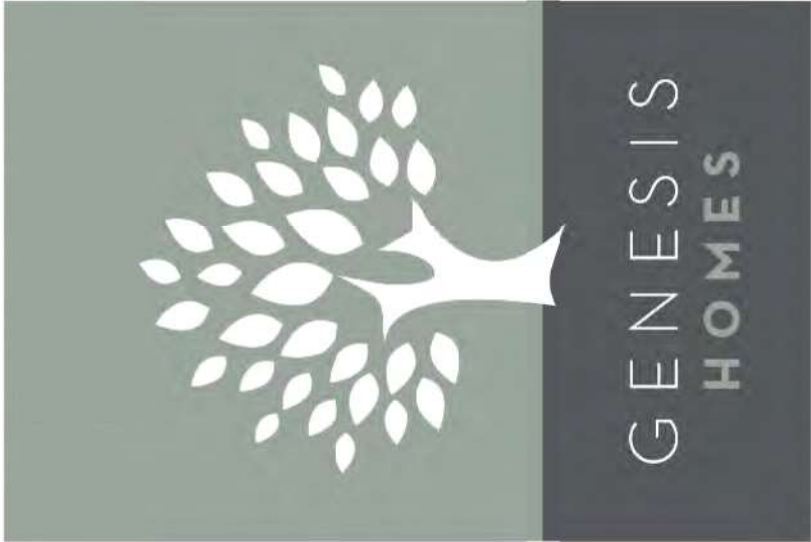
6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. 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.

Reason: To accord with Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



Contact: Catherine Watson
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Site Contact:
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Draft	Date	Drawn by
1	21.02.19	Kirsty Vickers
2	21.02.19	Kirsty Vickers
3	21.02.19	Kirsty Vickers
4	03.04.19	Dylan Sewell
5	23.04.19	Kirsty Vickers
6	23.05.19	Kirsty Vickers
7	05.06.19	Dylan Sewell
8	02.08.19	Dylan Sewell
9	29.08.19	Dylan Sewell
10	30.08.19	Dylan Sewell
11	30.08.19	Dylan Sewell
12	30.08.19	Dylan Sewell



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Self-adhesive
vinyl overlays



Colour references		
5635	425	7642

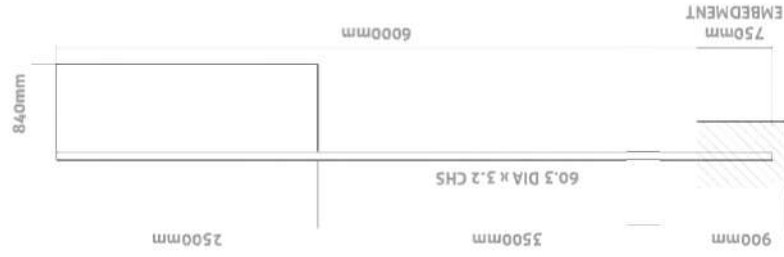
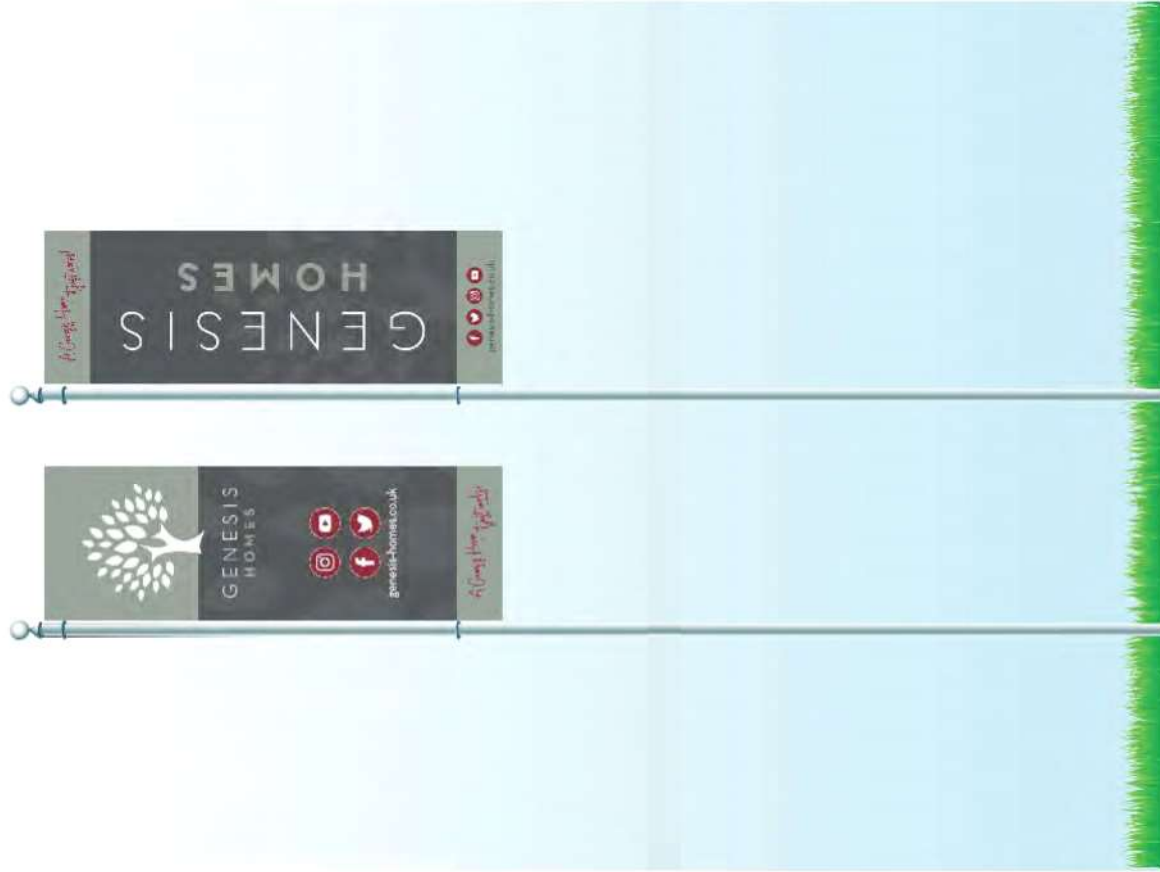
2 No. 1210mm(w) x 3500mm(h) Digitally printed, shaped Aluminium composite panels, post mounted and complete with clear protective over-laminate and 2 No. Digitally printed vinyl overlays. Scale drawing 1:20 @ A3.



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Client	Job No.	Date	Item	Draft
Genesis Homes	54951	30.08.19	1	12



2 No. 6 Metre flag poles to hold 840mm(w) x 2500mm(h) Digitally printed flags.



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Colour references		
5635 +50%	425 +25%	R-166 G-29 B-60

Client	Job No.	Date	Item	Draft
Genesis Homes	54951	30.08.19	2	12