

Advertisement Statement Haverhill Service Station, Sturmer Road, Haverhill, Suffolk, CB9 7UU

Introduction

Further to the invalid letter for planning application no. DC/23/1931/ADV, we write on behalf of Motor Fuel Group with regard to the application for the advertisement consent of one internally illuminated 'treysign' at Haverhill Service Station, Sturmer Road, Haverhill, Suffolk, CB9 7UU.

Site Description

The application site is formed of an existing service station (*Sui Generis*) which is accessed off Sturmer Road. The service station is bounded by Sturmer Road (A143) to the south and Couplas Close to the west. The site comprises a filling station forecourt with canopy, a Budgens supermarket.

Proposal

The application is to propose the installation of one internally illuminated 'trey sign'. The sign is to advertise the provision of electric vehicle charging facilities at Haverhill Service Station. A planning permission has recently been granted under reference no. DC/22/1016/FUL for 8 EV charging bays, substation enclosure and two jet wash bays, landscaping and associated forecourt works located at the southern and western boundary of Haverhill Service Station and it is this development of electrical vehicle charging facilities that this proposal is seeking to advertise.

The sign measures 1,350mm tall, 3,500mm wide and 75mm deep and will be positioned on the side elevation of the forecourt shop, 1.5m above ground level. The proposed advertisement is constructed using aluminium with a powder coated finish. More details can be found on the accompanying drawings.

Planning Policy Context

The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (herein afterwards referred to the Regulations). Regulation 3(1) states that "A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (a) the provisions of the development plan, so far as they are material; and
- (b) any other relevant factors."

Regulation 3(2) states that "Without prejudice to the generality of paragraph (1)(b)

- (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
- (b) factors relevant to public safety include
 - (i) the safety of persons using any highway,...;
 - (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign...;
 - (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle."



Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Development Plan

The application site is located within West Suffolk Council, formed in 2019 of Forest Heath District Council and St Edmundsbury Borough Council. The proposed development is within the former St Edmundsbury Borough Council area and is therefore subject to the policy documents for that area as well as documents which have been adopted by the new Council which have been listed below:

- Core Strategy 2001-2026 (2010)
- Haverhill Vision 2031 (2014)
- Joint Development Management Policies (2015)

The policies of most relevance have been outlined below.

Core Strategy 2001-2026

Policy CS5 – Design Quality and Local Distinctiveness: Requires all new development to be designed to a high quality and to reinforce local distinctiveness.

Joint Development Management Policies

Policy DM2 – Creating Places – Development Principles and Local Distinctiveness: Requires proposals to recognise and address key characteristics of the area, maintain a sense of place, preserve or enhance the setting and not adversely impact local character, habitats and amenities.

Policy DM38 – Shop Fronts and Advertisements: States that all new advertisements must preserve or enhance the character and appearance of the building or location of which it forms a part.

Material Considerations

Other material considerations relevant to this application comprise the following:

National Planning Policy Framework

The NPPF was updated (published July 2021) and the following is relevant to the proposed development.

- Paragraph 136: “The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”.

National Planning Policy Guidance (NPPG)

The NPPG confirms under what circumstances an advertisement requires consent and the process for obtaining that consent. It confirms that Regulation 3 requires 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. It also confirms that all advertisement consents are subject to the standard conditions set out in Schedule 2 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.



Guidance is given as to the meaning of 'amenity', noting that it is not defined exhaustively, includes aural and visual amenity and notes that:

"In assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority should consider whether it is in scale and in keeping with these features. This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site."

Guidance is also given in respect of public safety. It is noted that:

"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... There are less likely to be road safety problems if the advertisement is on a site within a commercial or industrial locality, if it is a shop fascia sign, name-board, trade or business sign, or a normal poster panel, and if the advertisement is not on the skyline."

The guidance goes on to list the main types of advertisement which may cause danger to road users, including:

"(a) those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway;

(b) those which, because of their size or siting, would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature;

(c) those which effectively leave insufficient clearance above any part of a highway, or insufficient lateral clearance for vehicles on the carriageway (due allowance being made for the camber of the road-surface)".

Supplementary Planning Documents (SPD)

The Shopfront and Advertisement Design Guide was adopted by the Council in 2015 as an SPD. Much of the guidance relates to shopfronts, however, it does reinforce the objective of the Council that advertisements should respect their surroundings and not negatively impact upon the character of an area.

Neighbourhood Plan

The application site does not fall within a designated Neighbourhood Plan area and is not subject to an adopted Neighbourhood Plan.



Key Considerations

Impact on the Character of the Area ('Amenity')

Policy DM2 relates to proposals for all development and, consequently, contains criteria which are not of direct relevance to this application (e.g., relating to Conservation Areas, loss of gardens, open space/recreation, energy efficiency measures, sensitive developments, crime prevention, accessibility and refuse/recycling (criteria c, d, e, f, h, i, k and m refer). The criteria considered to be of most relevance are presented below and in response to the amenity related criteria of Policy DM2, the following can be stated:

a. recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate this.

The key features and characteristics of the surrounding site is that the petrol station is opposite to an industrial estate and residential properties are present to the north and east of the site.

There is no strong sense of local distinctiveness or special quality, and none can reasonably be expected of a modern filling station on an A-road. Accordingly, the features referenced in this criterion are not eroded by the proposed development, to the extent they exist at all at the application site or in the immediate locality.

b. maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.

As set out above, no strong sense of place or local character exists at the application site or in the immediate locality.

Furthermore, the industrial and residential mixed use context is such that it is unreasonable to expect an advertisement to restore or enhance the locality. It should be remembered that Policy DM2 relates to all development, including more significant developments requiring planning permission which may have the greater opportunity to restore eroded character to a locality. It is considered this requirement cannot be reasonably applied to the proposal.

g. taking mitigation measures into account, not affect adversely:

i. the distinctive historic character and architectural or archaeological value of the area and/or building.

The buildings on site and in the locality have no distinctive historic character or architectural or archaeological value.

ii. the urban form, including significant street patterns, individual or groups of buildings and open spaces.

The urban form and 'street pattern' set by the A143, such that they are, would be maintained and would not be adversely affected by the placing of the advertisement. Likewise, the buildings on site and in the locality, taken individually or as a group, and the open spaces between them would not be harmed. The advertisement will be located on the side elevation of the filling station shop building where existing, non-illuminated advertisements are present.

iii. important landscape characteristics and prominent topographical features.

The site has no important landscape characteristics or prominent topographical features.

vi. residential amenity.



The surrounding residential properties would not be harmed by the proposed advertisement. The advertisement would face south and there are no residential properties opposite the site to the south.

j. produce designs that respect the character, scale, density and massing of the locality.

The proposed sign is appropriately sized relative to the elevation on which it will be situated and would be viewed in the context of this structure. The design of the advertisement is entirely in keeping with the adjacent filling station building, canopy and other livery and signage at the site. As stated above, the character of the locality would be respected.

l. produce designs, in accordance with standards, that maintain or enhance the safety of the highway network.

The safety of the highway network is considered to be maintained – see the ‘public safety’ section, below.

Policy DM38 states “...advertisements proposed in any other location, must preserve or enhance the character and appearance of the building or location of which it forms a part, and the street scene in which the proposal is located, and must not adversely affect amenity and/or public safety”. The proposal would not have a detrimental effect on the character of the area and it is important that members of the public are made aware of the presence of electric vehicle charging on the site.

We consider the requirements of policies DM2 and DM38 relating to amenity considerations and are fully complied with.

Public Safety

NPPG guidance in respect of public safety notes that “advertisements at points where drivers need to take more care are more likely to affect public safety.” The A143 Sturmer Road has a straight alignment adjacent to the site and is subject to a 30mph speed limit. The proposal is considered unlikely to affect public safety.

The NPPG lists the main types of advertisement which may cause danger to road users, including:

(a) those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway.

No sight lines are impaired or obstructed. The advertisement is located adjacent to the highway verge on a virtually straight section of the A143 where sight lines are forward. The carriageway and the traffic on it are clearly visible as one approaches the sign. Likewise, vehicles joining the carriageway from the forecourt are also clearly visible.

(b) those which, because of their size or siting, would obstruct or confuse a road-user’s view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature.

As set out above, views of the road and accesses on to it and views of junctions are in no way obstructed due to the siting of the proposal. The nearest traffic sign is a local route sign on the highway verge (ie closer to the highway than the proposed advertisement) and thus remains clearly visible to drivers. Furthermore, the proposed signage is in no way unusual in nature.



(c) those which effectively leave insufficient clearance above any part of a highway, or insufficient lateral clearance for vehicles on the carriageway (due allowance being made for the camber of the road-surface).

There is considered to be sufficient lateral and vertical clearance for vehicles using the carriageway, as the proposed sign is not located within the A143 operational boundary.

Conclusion

This statement has described in detail why we consider the proposed development to reflect the characteristics of the surrounding built development and that the internally illuminated sign is appropriate in the proposed location with no undue implications for amenity or highway safety.

