

PLANNING APPLICATION NUMBER:P13/1690

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|-------------------------|--|
| Type of approval sought | Advertisement |
| Ward | Castle & Priory |
| Applicant | Jan Butcher, Marketing Forge Ltd |
| Location: | ISLAND AT BIRMINGHAM ROAD/TIPTON ROAD, DUDLEY, WEST MIDLANDS. |
| Proposal | DISPLAY OF NON-ILLUMINATED ADVERTISEMENT SIGNS |
| Recommendation Summary: | APPROVE SUBJECT TO CONDITIONS |

SITE AND SURROUNDINGS

1. The application site consists of a landscaped vehicular roundabout at the junction of Birmingham Road (the A461), Tipton Road (the A4037) and the Dudley Southern By-Pass (the A461).
2. The surrounding area is a mixture of uses comprising landscaped areas, offices, hotel and residential housing.
3. There are 5 existing circular directional signs, 5 chevron rectangular signs and 3 advert signs on the island.

PROPOSAL

4. This is an application under the advertisement regulations for the provision of 5 roundabout sponsorship signs, including the replacement of 3 existing signs, measuring 1016mm by 508mm mounted on two black posts with a total height of 810mm. Each sign would be set in at least 1m from the edge of the carriageway.

5. The proposed signs would allow for the provision of a sponsor's name, a company logo, a short message and contact details (i.e. website, telephone number, address). The signs would also includes a strip stating "*In Partnership with Dudley Metropolitan Borough Council*"
6. The signs would be located opposite the roundabout entrances from Birmingham Road, Tipton Road, Dudley Southern By-Pass, Castle Hill and Castlegate Way..
7. The applicant has provided a supporting statement with the application which states they work with 100 local authorities with roundabout sponsorship throughout the country.
8. The applicant states that it has worked with the Council since 2005 when the signs were first approved at a number of limited sites thought out the borough.

HISTORY

9.

| APPLICATION No. | PROPOSAL | DECISION | DATE |
|------------------------|--|--------------------------------|-------------|
| P05/1276 | Display 5 No non illuminated signs on highway island | Refused | 02/08/05 |
| P05/1779 | Display 4 No non illuminated signs on highway island | Part approved and part refused | 08/11/05 |

10. The application P05/1276 was refused for the following reason:

The proposed signage by virtue of their proliferation, position and appearance would constitute an incongruous and intrusive feature, which would lead to visual clutter, duplication of signage and intrusion into the public art feature, which would be detrimental to the visual amenity of the surrounding area. This

would be contrary to DD14 Advertisement Control (Dudley Unitary Development Plan Revised Deposit), Planning Guidance Note 11 - Advertisement Display Guide and advice given in Planning Policy Guidance Note 19 - Outdoor Advertisement Control.

11. Whilst 3 signs were approved, one sign for P05/1779 was refused for the following reason:

The proposed sign situated opposite Castle Gate House, to the north and marked as no. 1 on the location plan, would by virtue of its position and appearance constitute an incongruous and intrusive feature on the traffic island, which would detract from the visual amenity of the backdrop of the public art work which forms a part of the landscaped background with detriment to the visual amenity of the surrounding area. This would be contrary to DD14 Advertisement Control (Dudley Unitary Development Plan Revised Deposit), Planning Guidance Note 11 - Advertisement Display Guide and advice given in Planning Policy Guidance Note 19 - Outdoor Advertisement Control.

PUBLIC CONSULTATION

12. None required.

OTHER CONSULTATION

13. Group Engineer (Highways): Concerns are raised, in that the roundabout has a higher than average accident rate, although recognise there is no proven link between modest advertising signage and accidents.

RELEVANT PLANNING POLICY

- National Planning Guidance (2012)
National Planning Policy Framework
-Paragraph 67

- Unitary Development Plan (2005) (Saved Policies)
DD14 Advertisement Control
- Supplementary Planning Guidance/Documents
PGN 11. Advertisement display guide

ASSESSMENT

14. The main issues are
- Policy
 - Amenity
 - Public Safety

Policy

15. NPPF paragraph 67 states, *“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts”*.
16. Saved Policy DD14 of the Dudley Unitary Development Plan states that: *“The Council will resist the erection of any advertisement which is substantially detrimental to the appearance of the building or on land which it is displayed, or to visual amenity of the surrounding area, or is prejudicial to public safety. “ The Council will also require that any advertisement has regard to the safe use and operation of any form of transport”*.

Amenity

17. As set out in the planning history there have been 2 previous applications for adverts on the island. The most recent application allowed 3 adverts and refused a fourth.
18. When these applications were considered back in 2005, roundabout sponsorship was a comparatively new initiative and was fairly uncommon.
19. In the last 8 years sponsorship signs have become recognised pieces of street furniture at many roundabouts and similar road junctions in urban areas around the country. In addition their modest size 1016mm by 508mm compared to other signage associated with road junctions and the comparatively large size of the roundabout in question means any impact that they have would be limited.
20. Therefore on this basis it is not considered that the previous refusal or part refusal of such signage could be reasonably defended on amenity grounds, particularly as the application site is not the subject of any statutory designations.

Public Safety

21. The proposed signs are located at a critical section of the junction where they could potentially distract driver's attention at a point where they need to take exceptional care.
22. The Group Engineer (Highways) maintain that from a public safety point of view that whilst there is no proven evidence to support that the proposed advertising signs cause accidents at traffic roundabouts the highway Authority suggest ongoing concerns in relation to road accidents and in particular for vulnerable road users.
23. The recorded accident history at this junction is higher than the accepted accident rate.

24. In the interests of public safety the Group Engineer (Highways) would wish to raise safety concerns regarding this application.

CONCLUSION

25. The proposed signage is not considered to cause any significant harm to amenity in that such sponsorship signs have become regular and frequent features of traffic roundabouts. In addition the modest size of the signs and their limited number on the roundabout would not result in any significant harm and whilst there are concerns from a highway safety point of view it is not proven that the signs would have a detrimental impact on highway safety. Consideration has been given to Saved Policy DD14 Advertisement Control of the Dudley Unitary Development Plan.

RECOMMENDATION

26. It is recommended that the application be APPROVED subject to the following conditions:

Notes to Applicant

In dealing with this application the Local Planning Authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising in relation to dealing with the application, by seeking to help the applicant resolve technical detail issues where required and maintaining the delivery of sustainable development. The development would improve the economic, social and environmental concerns of the area and thereby being in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Informative

In order to avoid any visibility obstruction it is imperative that the correct angle and final position of the approved signage is confirmed prior to its final completion on site. Please therefore contact the Highways Authority to ensure that the details are submitted and agreed.

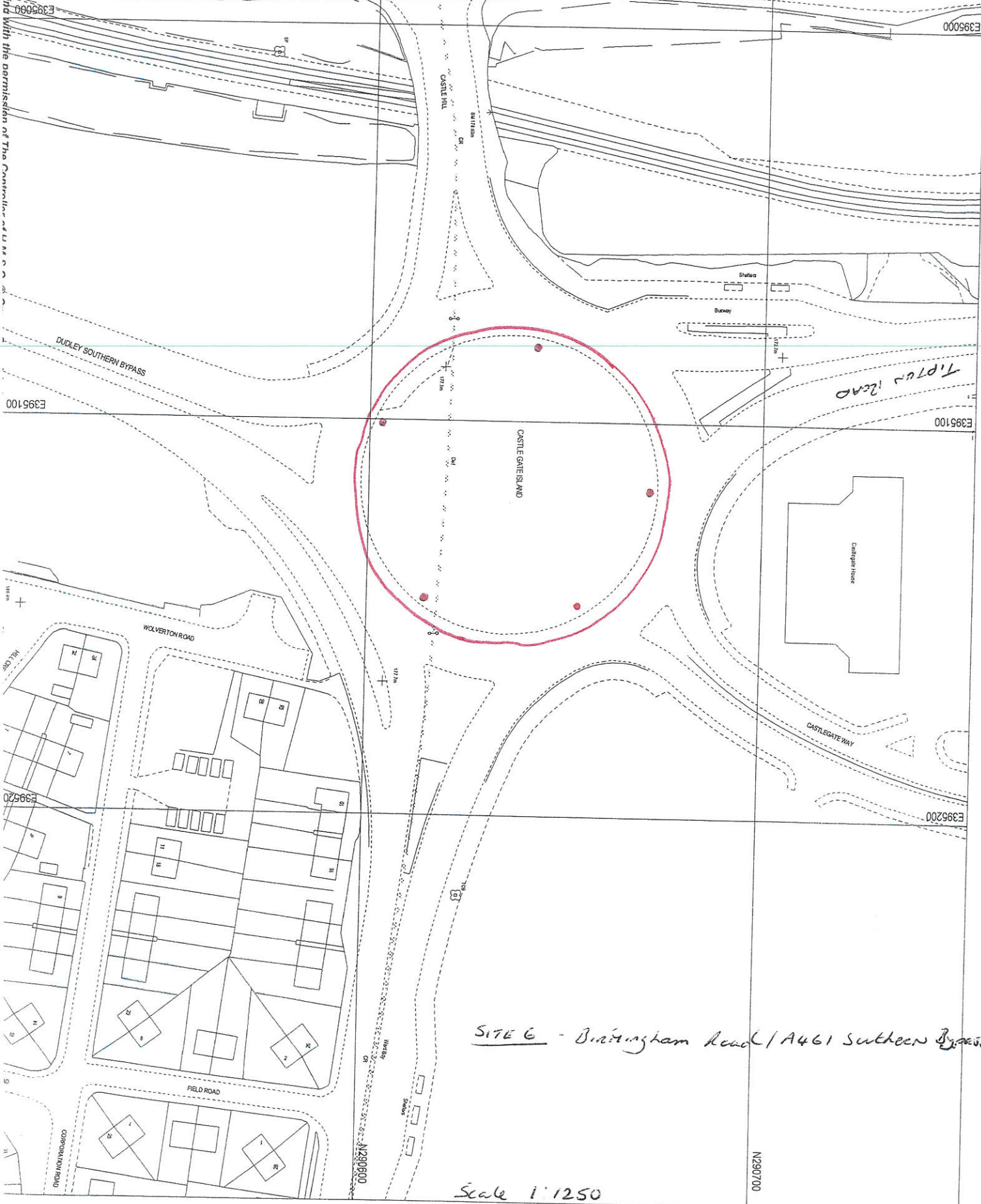
Conditions and/or reasons:

1. 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.
2. 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.
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.
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.
5. Where an advertisement is required to be removed under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. This consent shall remain valid for a period of five years from the date hereof.
7. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Appendix 1 and Appendix 2.

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SITE 6 - Birmingham Road / A461 Southern Bypass

Scale 1:1250

Site 6 – Birmingham Road/A461 Southern Bypass, Dudley
Existing site - propose increasing number of signs from 3 to 5

Site 6 - Southern By-pass Entrance



Total 5 signs:-

- 1 sign at entrance Birmingham Road – consent given
- 1 sign at entrance Edwards Way – consent given
- 1 sign at entrance Castle Hill – consent given
- 1 sign at entrance Tipton Road
- 1 sign at entrance Castlegate Way

