

## Planning, Taxi Licensing and Rights of Way Committee Report

**Application No:** P/2018/0138 **Grid Ref:** 312839.69 238465

**Community Council:** Bronllys **Valid Date:** 02/02/2018 **Officer:** Thomas Goodman

**Applicant:** Powys County Council

**Location:** Archdeacon Griffiths Primary School, Llyswen, Brecon, Powys, LD3 0YB.

**Proposal:** ADV: Application for consent to display advertisements consisting of wall mounted lettering, 1 no. post mounted modular sign and 1 no. aluminium flagpole with flag (all non-illuminated)

**Application Type:** Application for Consent to Display an Advertisement(s)

### The reason for Committee determination

Powys County Council is the Applicant

### Site Location and Description

The proposed development is located within the settlement development boundary of Llyswen as defined by the Powys Unitary Development Plan (2010).

The proposed development seeks advertisement consent for the display of non-illuminated advertisements. The advertisements displays will be as follows:

1. 1.16m x 0.92m stainless steel sign. Maximum height from ground level 4.77m. Finished in stainless steel text with letters approximately 0.4m projecting 0.05m.
2. 1.6m x 0.15m stainless steel sign. Maximum height from ground level 2.67m. Finished in stainless steel text with letters approximately 0.14m projecting 0.03m.
3. 2.4m x 1.2m metal sign. Maximum height from ground level 1.2m. Finished with white text and a dark purple background.
4. 6m high aluminium flag pole with polyester flag. Maximum height to the base of the advertisement is 5.085m finished with a white background with the school emblem.

### Consultee Response

#### Bronllys Community Council

No response received at the time of writing this report.

#### PCC – Highway Authority

The County Council as Highway Authority for the County Class II Highway, B4350

Does not wish to comment on the application

#### PCC - Building Control

No response received at the time of writing this report.

#### Wales and West Utilities

According to our mains records Wales & West Utilities has no apparatus in the area of your enquiry. However Gas pipes owned by other GT's and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners.

Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus.

#### **Planning History**

B/00/0291 – Provision of a mobile classroom – Conditional Consent – 11/12/2000

B/04/0108 – Construction of classroom extension and link to provide early years education link – Conditional Consent – 14/07/2004

P/2016/0801 - Demolition of existing primary school and construction of a new primary school and all associated works – Conditional Consent – 13/10/2016

NMA/2017/0019 - Application for Non-Material Amendment to P/2016/0801 in respect of the approved plans, on site infrastructure, and access road. Conditional Consent – 27/04/2017

DIS/2017/0019 - Discharge of condition 3 and 17 of planning approval P/2016/0801 – Approved – 27/02/2017

#### **Principal Planning Constraints**

C2 Flood Zone  
Historic Landscapes Register - Outstanding

#### **Principal Planning Policies**

##### National Planning Policy

Planning Policy Wales (Edition 9, 2016)

Technical Advice Note (TAN) 7: Outdoor Advertisement Control (1996)

Technical Advice Note 12: Design (2016)

Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note 16: Sport, Recreation and Open Space (2009)

Technical Advice Note 18: Transport (2007)  
Technical Advice Note 23: Economic Development (2014)

### Local Planning Policy

Powys Unitary Development Plan (2010)

SP2- Strategic Settlement Hierarchy  
SP3- Natural, Historic and Built Heritage  
SP9- Local Community Services and Facilities  
GP1 - Development Control  
GP3- Design and Energy Conservation  
GP4- Highway and Parking Requirements  
ENV2- Safeguarding the Landscape  
ENV3- Safeguarding Biodiversity and Natural Habitats  
ENV4- Internationally Important Sites  
ENV5- Nationally Important Sites  
ENV6- Sites of Regional and Local Importance  
ENV7- Protected Species  
ENV14- Listed Buildings  
ENV16- Landscapes, Parks and Gardens of Special Historic Interest  
ENV17- Ancient Monuments and Archaeological Sites  
CS4- Shared Use of Educational Premises for Community Purposes  
CS5- Educational Developments  
RL6 - Rights of Way and Access to the Countryside  
DC1 - Access by Disabled Persons  
DC2 - Advertisements  
DC14- Flood Prevention Measures  
DC15- Development on Unstable or Contaminated Land

RDG=Powys Residential Design Guide NAW=National Assembly for Wales TAN= Technical Advice Note  
UDP=Powys Unitary Development Plan, MIPPS=Ministerial Interim Planning Policy Statement

### **Other Legislative Considerations**

Crime and Disorder Act 1998

Equality Act 2010

Planning (Wales) Act 2015 (Welsh language)

Wellbeing of Future Generations (Wales) Act 2015

### **Officer Appraisal**

#### Section 38 (6) of the Planning and Compulsory Purchase Act 2004

Members are advised to consider this application in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, which requires 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.

### Principle of Development

Policy DC2 of the Powys Unitary Development Plan sets out the criteria for assessing applications for advertisement consent which seeks to protect the character and appearance of buildings and street scenes. This is reinforced within TAN7 which set out the national guidance.

### Public Safety

Policy DC2 states that advertisement consents shall not cause any unacceptable adverse effects on public safety especially for highway users including pedestrians. The application site is set away from any trunk/classified road and is located within the school grounds. Given the size and location of the signs within the grounds of the school it is considered that the advertisements do not cause an unacceptable adverse effect on public safety especially for highway users including pedestrians.

### Landscape and Amenity

Policy DC2 of the Powys UDP states that advertisements shall not spoil the visual amenity, character and appearance of any building, the surrounding environment, landscape or street scene in terms of its size, proportions, materials, lettering, colours and external finishes.

Given the existing use and advertisement displays at the existing premises and the units surrounding the proposed development site it is considered that the proposed advertisements will not alter the visual amenity, character and appearance of the building, the surrounding environment, landscape or street scene.

The proposed development therefore in this instance fundamentally complies with policy DC2 of the Powys UDP.

### Bilingual Signs

Policy DC2 of the Powys UDP also states that wherever possible, applicants are encouraged to design advertisements to be bilingual. In this instance many of the advertisements are bilingual and therefore comply with policy DC2 of the Powys UDP.

## **Recommendation**

In light of the above it is considered that the proposed development fundamentally complies with relevant planning policy and the recommendation is therefore one of conditional consent.

Conditions:

1. The development to which this permission relates shall be begun no later than the expiration of five years from the date of this permission.

2. The development shall be carried out strictly in accordance with the plans stamped as approved on XX/XX/XX (drawing no's: LLY 00 PL A, Post Mounted, Flag Pole, Archdeacon & PDA LLY 00 PL A (05)100).
3. Any advertisements displayed and any site used for display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
5. Where an advertisement is required to be moved the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
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.
7. The signage hereby permitted shall be non-illuminated.

Reasons:

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.
3. Pursuant to the Town and Country Planning (Control of Advertisement) Regulations 1992 and policy DC2 of the Powys Unitary Development Plan.
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Case Officer: Thomas Goodman- Planning Officer  
Tel: 01597 827655 E-mail:thomas.goodman@powys.gov.uk