

# CASE OFFICER'S REPORT

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**Application Reference:** PL/2024/07355  
**Application Type:** Consent to display an advertisement

**Consultation ends:** 17 October 2024  
**Case officer:** Julie Mitchell

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**Site Address:** Land off Melksham Road, , Holt , Wiltshire  
**Proposal:** 1no V board, 2 no flags  
**Recommendation:** Approve with Conditions

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## SITE DESCRIPTION:

The site comprises an existing field immediately to the north east of the edge of the settlement of Holt which has outline planning permission for 90 dwellings.

## PROPOSAL:

The application seeks advertisement consent to erect one 'V board' and 2 flag poles which would be positioned close to the northern boundary of the site where they would be visible from Melksham Road (B3107).

The 'V board' signage would have overall dimensions of approximately 3 m in width (per board) and have a total height of 4.8m. The sign would comprise ACM panels with graphics printed and laminated to display the name of the developer and development, mounted on steel posts coloured white.

There would be two flag poles positioned to either side of the 'V board'. The flag poles would be 6m in height and would display the name of the developer with a burgundy background and white text.

None of the signs would be illuminated and would follow a similar colour palette.

## POLICIES:

National Planning Policy Framework (NPPF) December 2023

Paragraphs 114-116 – Highways

Paragraph 131 – Function and Form of Development

Paragraph 141 - Advertisement Control

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Wiltshire Core Strategy January 2015

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 7 Bradford on Avon Community Area

Core Policy 57 Ensuring high quality design and place-shaping

**ASSESSMENT:**

Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) requires that the local planning authority exercises its powers under the Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

For the purpose of the Regulations, 'amenity' includes "aural and visual amenity".

**RELEVANT PLANNING HISTORY:**

PL/2022/03315 - Outline planning application for the erection of up to 90 dwellings, including 40% affordable housing with public open space, structural planting and landscaping and sustainable drainage system (SuDS) with vehicular access point. All matters reserved except for means of access - Approved

PL/2024/04625 - Approval of Reserved Matters (appearance, landscaping, layout and scale) pursuant to outline planning permission PL/2022/03315 - Pending

**KEY ISSUES:**

Impact on the Amenity of the Area  
Public Safety

**CONSULTATIONS:**

**Holt Parish Council:** Object

This sign has already been erected without consent and on the presumption of full planning consent which has yet to be granted. We also consider the sign to be in a dangerous location close to the village gateway, the start of the 30mph limit and the partially concealed junction with Little Parks where it will distract drivers approaching from the East.

**Wiltshire Council Highways:** No objection (to revised location plan)

**REPRESENTATIONS:**

No letters of representation received in response to the current proposal

**Assessment**

**Impact on the Amenity of the Area:**

The site lies in a rural location outside of the built environment of Holt, a large village settlement as defined within the WCS. The site has previously been granted outline permission to provide up

to dwellings, with means of access from Great Parks to the western boundary of the site. Reserved matters are currently under consideration. The proposed advertisements would display adverts for the new development and the name of the developer on the primary route past the site. Whilst the access is not to be positioned at this point, signage on Great Parks where the access is approved would be ineffective. The signage would be displayed during the construction phase of the new development and until such time as the sales of the homes are complete and would not be illuminated. The signage would appear slightly out of context until the development is commenced, after which the signage would be relevant and proportionate to the approved development. Given the temporary nature of the signage, it is not considered that the signage results in a significantly harmful impact in terms of amenity.

#### **Public Safety:**

Having regard to the considerations of public safety set out at Regulation 3(2)(b) (as amended) and the generality of 'any other relevant factors', the relevant issue in respect of this site is the safety of persons using the highway. Wiltshire Council's Highways Department were consulted on the application and it was highlighted that the signage would be positioned on the public highway. However the agent has confirmed that the location plan is incorrect and photographs provided of the signage erected within the site. On the basis of the revised site plan, no Highways objection is raised in this instance. It is therefore considered that the proposed advertisement is acceptable from a public safety standpoint.

#### **Other matters:**

The parish council has objected on the grounds that it is sought retrospectively and that full planning permission has not been granted. The site benefits from outline permission and reserved matters are currently under consideration. These are not factors on which a reason for refusal could be sustained.

#### **CONCLUSION:**

In light of the above assessment, and there being no further matters that are material to an application under the Regulations, it is considered that consent be granted, subject to conditions.

#### **RECOMMENDATION:**

Consent, subject to the following conditions:

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#### **Conditions: (3)**

- 1 This consent shall expire and the advertisements removed from the site at the end of the period of five years from the date of this Notice or upon the closure of the sales office, whichever is sooner.

REASON: To comply with Regulations 14 (7) and (8) of the Town and Country Planning

(Control of Advertisements) (England) Regulations 2007.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Location Plan 05439-02 Rev A dated 17 September 2024

Site Image 05439-02 Page 3 dated 2 August 2024

Post Mounted V Board Elevations 05439-02 Page 2 dated 2 August 2024

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 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.

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.

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.

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.

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 amenities.

REASON: To comply with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**Informatives: (3)**

- 1 The applicant is requested to note that the grant of advertisement consent does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 2 The applicant should note that the grant of advertisement consent does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
- 3 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.