
Delegated report Officer: Tony Burdett

Application ref. DMPA/2022/0479

Advertisement consent in relation to the development at Hatton Court Bellway Homes Development Site, Derby Road, Hilton, Derby, DE65 5FP

Valid date: 26/05/2022

Consults expired: 22/06/2022

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

9/2002/1213 Signs on cricket sighting board-approved

9/2010/0923 Signs on cricket sighting board -approved

Responses to consultations and publicity

The Highway Authority has no objection.

Two third party representations have been received raising the following objections:

- Derby Road carries fast traffic and the sign would be a distraction to drivers and likely to cause an accident, at a location where there are frequent traffic accidents.
- The proposal would serve no purpose as the development site is less than a minute away and is well advertised there.
- Around the Hilton area sign pollution is a real problem and especially so because of the multiple housing developments taking place.
- Any consent should be time limited.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1): S2 (Presumption in favour of sustainable development) , BNE1 (Design Excellence), BNE4 (Landscape Character and Local Distinctiveness), Policy INF2 (Sustainable Transport).
- Local Plan Part 2 (LP2): BNE9 (Advertisements)

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)
- Display of Advertisements Supplementary Planning Guidance (SPG)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

The relevant legislation is:

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

Planning considerations

In taking account of the application documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Amenity
- Safety

Planning assessment

Amenity

The sign, to advertise residential development some 1.6 km away, in Hatton, would be located in open countryside about 0.6km to the west of the built-up edge of Hilton.

Local Plan Policy BNE9 requires advertisements to have no adverse impact on the character or appearance of the area and its setting. This is supported by Policy BNE1 and BNE4.

Policy ADVI of the Council's Supplementary Planning Document on Advertisements states that in determining applications for consent to display advertisements the Council will consider the effect of the proposals on amenity and public safety. The Council will only grant consent for the display of an advertisement where it is satisfied that it is well located in relation to the building or site on which it is to be displayed.

Because the sign is a significant distance from the site which it would advertise, and because of its rural location the proposal fails to satisfy the policy requirements in respect of visual amenity and would be harmful to the open character of the area.

Safety

On the advice of the Highway Authority there would be no demonstrable harm to highway safety interests, in accordance with Policy INF2.

Recommendation

Refuse

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	30/01/2023
Report agreed:	20/02/2023
Authorised officer:	Steffan Saunders
