

<b>Planning Committee Report LA01/2019/0376/A</b>	<b>25<sup>th</sup> September 2019</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing our Environment and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Development Management & Enforcement Manager
<b>Cost: (If applicable)</b>	N/a

<b><u>No:</u></b>	<b>LA01/2019/0376/A</b>	<b><u>Ward:</u></b>	<b>Garvagh</b>
<b><u>App Type:</u></b>	<b>Advertisement Consent</b>		
<b><u>Address:</u></b>	<b>40m East of 38 Coleraine Road, Garvagh</b>		
<b><u>Proposal:</u></b>	<b>2.4 x 1.25m sign board mounted on 3 no. galvanised posts.</b>		
<b><u>Con Area:</u></b>	<b>N/A</b>	<b><u>Valid Date:</u></b>	<b>09/04/2019</b>
<b><u>Listed Building Grade:</u></b>	<b>N/A</b>		
<b>Agent:</b>	<b>OJQ Architecture, 89 Main Street, Garvagh.</b>		
<b>Applicant:</b>	<b>Colm and Brenda Bradley, 17 Bulbane Lane, Coleraine.</b>		
<b>Objections: 0</b>	<b>Petitions of Objection: 0</b>		
<b>Support: 0</b>	<b>Petitions of Support: 0</b>		

## **Executive Summary**

- This proposal is considered unacceptable at this location having regarding to the Northern Area Plan 2016 and all other material considerations.
- The site is located outside of the settlement development limits of Garvagh, as defined in the Northern Area Plan. It is situated on a Protected Route. The site is adjacent to the Twenty Acres Local Landscape Policy Area, and is also within an archaeological site and monument zoning.
- DfI Roads and Historic Environment Division have been consulted and raise no objection to the proposal
- There have been no third party objections received to this application.
- The sign is visible from approx. 160m when travelling from the north. There are no other signs within the vicinity of the application site and it is not proposed on the site of an existing or approved commercial enterprise. The application site is predominantly rural in nature, where it is considered that the visual amenity should not be interrupted by advertisements. There are no other signs in the vicinity and is therefore contrary to Policy AD1 of PPS 17 (Control of Advertisements) and the SPPS.
- An application for a similar advertisement situated approx. 230m from the application site was refused in November 2016.
- The proposal is not on the land to which the advertisement relates and is contrary to the SPPS and Policy AD1 of PPS 17

**Drawings and additional information are available to view on the Planning Portal- [www.planningni.gov.uk](http://www.planningni.gov.uk)**

## **1 RECOMMENDATION**

- 1.1 That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to **REFUSE CONSENT** subject to the reason set out in section 10.

## **2 SITE LOCATION & DESCRIPTION**

- 2.1 The site is located along the western boundary of an agricultural field along the Coleraine Road, approx. 15m south of the junction with Mettigan Road, Garvagh. The surrounding area is rural in nature, characterised by agricultural fields and detached dwellings, with the exception of a short, four dwelling terrace on the approach to the application site.
- 2.2 There is a 2.4m x 1.25m sign board mounted on two galvanised posts on the site. This sign measures 4m in height when viewed from the Coleraine Road, and advertises The Vines Wine Bar and Bistro, containing directions, contact information and services available. The sign abuts the boundary of the private land into the public verge by approx. 600mm.
- 2.3 The application site sits outside of the settlement development limits of Garvagh, as defined in the Northern Area Plan. It is situated on a Protected Route. The site is adjacent to the Twenty Acres Local Landscape Policy Area, and is also within an archaeological site and monument zoning.

## **3 RELEVANT HISTORY**

- 3.1 LA01/2015/0751/A – Retrospective application for a free standing sign at lands approx. 65m south of 66 Coleraine Road, Garvagh – Refused 16<sup>th</sup> November 2016

## **4 THE APPLICATION**

- 4.1 Advertising Consent is sought for a sign mounted on three galvanised steel posts, advertising The Vines Restaurant and Bistro. The sign is proposed to sit entirely within the private lands to the east of the Coleraine Road, measuring 2.4m x

1.25m, standing 4m in height when viewed along the grass verge. The sign is north facing and will be visible for approx. 160m when travelling south along the Coleraine Road.

- 4.2 The original proposal sought to retain the sign on site, however as the existing sign overhangs the public verge and raised a concern with DfI Roads, the proposal was amended to this current proposal.

## **Habitats Regulation Assessment**

- 4.3 The potential impact this proposal on Special Areas of Conservation, Special Protection Areas and Ramsar sites has been assessed in accordance with the requirements of Regulation 43 (1) of the Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended). The Proposal would not be likely to have a significant effect on the Features, conservation objectives or status of any of these sites.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

N/A

### **5.2 Internal**

**DfI Roads** has no objection to the proposal

**Historic Environment Division** has no objection to the proposal

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 45(1) of the Planning Act (Northern Ireland) 2011 requires that all applications must have regard to the local plan, so far as material to the application, and all other material considerations. Section 6(4) states that in making any determination where regard is to be had to the local development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The development plan is:

Northern Area Plan 2016 (NAP)

6.3 The Regional Development Strategy (RDS) is a material consideration.

6.4 The Strategic Planning Policy Statement for Northern Ireland (SPPS) is a material consideration. As set out in the SPPS, until such times as both a new local plan strategy is adopted, councils will apply specified retained operational policies.

6.5 Due weight should be given to the relevant policies in the development plan.

6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

Northern Area Plan 2016

Strategic Planning Policy Statement (SPPS)

PPS 17: Control of Outdoor Advertisements

## **8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to the principle and visual impact and; road safety.

### **Planning Policy**

8.2 The proposal must be considered having regard to the SPPS, PPS policy documents and supplementary planning guidance specified above

8.3 The site is located outside the settlement development limit for Garvagh, and is within an area zoned as an archaeological site and monument.

8.4 The immediate area is characterised by agricultural fields to the north and east, and detached dwellings to the south and west.

Due to the positioning of the sign, it will be visible when approaching from the north.

### **Principle and Visual Impact**

- 8.5 Policy AD1 of PPS 17 states that consent will be given for the display of an advertisement where it respects amenity and public safety, when assessed in the context of the general characteristics of the locality. This is complemented by the SPPS which states the main considerations when considering a scheme for signage is visual amenity, public safety and road safety.
- 8.6 The Strategic Planning Policy Statement for Northern Ireland (SPPS) (Paragraphs 6.52 – 6.60) applies to the proposed signage. The policy states that all advertisements should not affect the character and appearance of the building or location where they will be displayed.
- 8.7 The sign is considered to have a high level of visibility, given the openness of the approach. The sign is proposed to be situated within an agricultural field and to advertise a restaurant in the centre of Garvagh.
- 8.8 Paragraph 4.8 of PPS 17 states that the amenity of the countryside is particularly important and there is a need to protect its unique qualities from the negative impacts of advertising. The only advertisements likely to be acceptable in the countryside are those proposed on the site of an existing or approved commercial enterprises. These should be small in scale and not detract from the quality and character of the local landscape. The sign is located approx. 0.5 miles from the business to which it relates, and is located within the countryside, as defined by the Northern Area Plan.
- 8.9 The sign is visible from approx. 160m when travelling from the north. There are no other signs within the vicinity of the application site. The application site is predominantly rural in nature, where it is considered that the visual amenity should not be interrupted by advertisements. There are no other signs in the vicinity.

- 8.10 An application for a similar proposal also located outside of the settlement of Garvagh and situated approx. 230m from the application site was refused in November 2016.
- 8.11 Having regard to the SPPS and Policy AD1, including the previous refusal and the high visual impact, it is considered that the proposal does not comply with policy.

### **Public and Road Safety**

- 8.12 DfI Roads was consulted in relation to the impact on road safety and following the submission of amended plans it raised no objection to the proposal.

## **9 CONCLUSION**

- 9.1 The proposal is considered unacceptable in this location having regard to the Northern Area Plan and all other material considerations. The signage is uncharacteristic in this rural area and is unduly prominent on the approach to the town of Garvagh. The sign is also not on the land to which the advertisement relates and is contrary to the SPPS and Policy AD1 of PPS 17. Refusal is recommended.

## **10 REFUSAL REASON:**

- 10.1 The proposal is contrary to Paragraphs 6.57 and 6.60 of the SPPS and Policy AD 1 of Planning Policy Statement 17: Control of Outdoor Advertisements, in that its visual impact does not respect amenity, and the size and nature of the sign are such that it is out of scale with the general characteristics of the rural nature of the locality.

# Site Location Plan





# Block Plan of Advertisement

