

Planning Committee

29 April 2020



Application No.	20/00342/ADV		
Site Address	Spelthorne Museum, Staines		
Applicant	Spelthorne Borough Council		
Proposal	Display of a mural advertising Spelthorne Museum		
Case Officer	Susanna Angell		
Ward	Staines		
Called-in	The applicant is Spelthorne Borough Council and in accordance with the Planning Code (paragraph 38) this application is being reported to Committee for a decision.		
Application Dates	Valid:18.03.2020	Expiry: 13.05.2020	Target: Under 8 Weeks
Executive Summary	<p>The proposal is an advertisement application for the display of a mural advertising Spelthorne Museum. The mural will be created as part of a community project by a local artist and school children. It will measure 3.6 m's in height and 2 m's in width with columns either side. The mural will be located on the western elevation of the building.</p> <p>The proposal is considered to be acceptable in terms of its impact on visual amenity. It is also acceptable in terms of highway safety.</p>		
Recommended Decision	Grant the application subject to conditions as set out at Paragraph 8 of the Report.		

MAIN REPORT

1. Policies

- 1.1 National Planning Policy Framework (NPPF) Paragraph 132

2. Relevant Planning History

- 2.1 There is no relevant planning history.

3. Description of Current Proposal

- 3.1 This application relates to Spelthorne Museum which is located on the eastern side of Thames Street in Staines town centre. The Museum adjoins the library to the south. Tothill Car Park is located directly to the east of the site.
- 3.2 This is an advertisement application for the display of a mural advertising Spelthorne Museum. The mural will be approximately 3.6m in height. The proposed design shows a Woolly Mammoth with columns located either side. The mural would be visible from a public footway.

4. Consultations

There has been no requirement to undertake any consultation in relation to this application

5. Public Consultation

No letters of representation have been received

6. Planning Issues

- Amenity
- Public safety

7. Planning Considerations

- 7.1 The National Planning Policy Framework (NPPF) paragraph 132 states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking into account of cumulative impacts

Amenity

- 7.2 The mural would be sited on the western elevation of the building and would be fixed over an existing shutter doorway. The site is located adjacent to the footway. There is a substantial raised planter located between the footway and the main road of Thames Street.
- 7.3 The submitted plans show an animal picture directing visitors to Spelthorne Museum, with columns either side. It would not be illuminated. The mural is considered acceptable in appearance and is a suitable size for its context. It is not considered that it would appear intrusive or overly large due to its scale or design and would have an acceptable impact on visual amenity, adding interest to the locality.

Public Safety

- 7.4. The proposed mural is set back from the public highway. It is considered that the advertisement scheme would not have a material impact on the safety and operation of the nearby public highway including the safety of pedestrians.

Equality Act 2010

- 7.5 This planning application has been considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:
- 7.6 The elimination of discrimination, harassment and victimisation;
The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;
The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups. The mural is clearly visible to the general public.

Human Rights Act 1998

- 7.7 This planning application has been considered against the provisions of the Human Rights Act 1998
- 7.8 Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.
- 7.9 Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, i.e. peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.
- 7.10 In taking account of the Council policy as set out in the Spelthorne Local Plan and the NPPF and all material planning considerations, Officers have concluded on balance that the rights conferred upon the applicant/ objectors/

residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by the approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

Financial Considerations

- 7.11 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not.

There are no financial considerations which are material or not material in the determination of this proposal.

- 7.12 The advertisement is considered to be acceptable.

8. Recommendation

- 8.1 GRANT advertisement consent subject to the following conditions:

1. Any advertisements displayed and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under the Town and Country Planning (Control of Advertisements) Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. 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.
5. No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

The reason(s) for the decision of the Council to consent to the display of the advertisement(s) subject to compliance with the conditions specified in the second schedule are: (1) – (5) to comply with the Town and Country Planning (Control of Advertisements) Regulations 2007.

INFORMATIVES TO APPLICANT

- 1 This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Spelthorne Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by -
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed, we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process.

However, Spelthorne Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application are required.

Pre-application advice was not sought prior to submission and alterations were required to overcome concerns. These were sought and the applicant agreed to the changes.