

**Report to:** PLANNING COMMITTEE

**Date:** 08 March 2017

**Report from:** Assistant Director of Housing and Built Environment

**Application Address:** Lamp post banners at Bexhill Road, Sedlescombe Road North, The Ridge, Old London Road, Havelock Road, Cambridge Road, Queens Road and The Stade

**Proposal:** Use of 28 lamp post banners for advertising, the banners are 70cm wide and 1.67m height

**Application No:** HS/AA/16/00920

**Recommendation:** Grant Advertisement Consent

Ward: CASTLE

File No:

Applicant: Hastings Borough Council Aquila House  
Breeds Place Hastings TN34 3UY

Interest: Local Authority

Existing Use: Lamp Posts

**Policies**

Conservation Area: Yes - Old Town

Listed Building: No

**Public Consultation**

Adj. Properties: Yes

Advertisement: Yes - Conservation Area

Letters of Objection: 4

Petitions Received: 0

Application Status: Not delegated - More than 2 letters of objection received

**Site and Surrounding Area**

This application refers to 28 lamp posts in ten different locations throughout Hastings and St Leonards. The lamp posts located on The Ridge are split into two locations.

### **Location 1: The Ridge - Beaulieu Gardens/Harrow Lane**

Firstly, there are three lamp posts located between Beaulieu Gardens and Harrow Lane numbered 139, 140 and 141. These are modern style lamp posts located on a busy B road running along the northern boundary of the town. This area in particular has a number of detached single dwellinghouses of a post war style set adjacent to the lamp post locations.

### **Location 2: The Ridge - Woodlands Way/Yew Tree Close**

The other site on The Ridge is located to the northern side of the road at the entrance to Woodlands Way, a small industrial area set back from the road. The lamp posts are numbered 93, 95 and 96.

### **Location 3: Bexhill Road/Bexleigh Avenue**

Three lamp posts are located on Bexhill Road (A259) west of Bexleigh Avenue; this road is the main coastal route through the town with open fields to the north and the coastline to the south. These lamp posts are numbered 85, 87 and 88.

### **Location 4: Sedlescombe Road North**

The site at Sedlescombe Road North (A21), the main road access from London, is located around the entrance of Harlequin Gardens, a wide section of the road with residential properties on either side of varying styles. To the north are a number of large commercial units of mixed uses. The lamp posts are numbered 67, 68 and 69.

### **Location 5: Old London Road**

The proposal for Old London Road is a site of three lamp posts located adjacent to TW Car Sales. This is a densely populated area of Hastings with predominantly terraced Victorian housing on this section of road. The lamp posts are numbered 50, 51 and 52.

### **Location 6: The Stade**

Three lamp posts are located within the Stade Open Space, a large open area located to the west of the Jerwood Gallery. This has a mix of masts and modern style lamp posts numbered 3, 4 and 5 and is situated within the Old Town Conservation Area.

The seven lamp posts within locations 7, 8 and 9 are located within the Town Centre Conservation Area.

### **Location 7: Queens Road/Wellington Place**

These three lamp posts are located on Queens Road between the Town Hall and Wellington Place which is a pedestrianised area with predominantly retail units surrounding the lamp posts numbered 1, 3 and 5.

### **Location 8: Havelock Road**

These two lamp posts are located on Havelock Road, a main access route between the Town Centre and Hastings Station. This road is mainly used for retail purposes with the addition of the Hastings campus of the University of Brighton. The lamp posts are numbered 5 and 6.

### **Location 9: Cambridge Road**

These two lamp posts are located on Cambridge Road, a pedestrianised route through the Town Centre, again with predominantly retail units surrounding the site. The lamp posts are numbered 3 and 4.

### **Location 10: Queens Road/Vicinity of Morrisons**

This location consists of a mixed use of commercial and residential premises of single to 3 storeys. Banners are proposed to be attached to lamp posts 32, 33 and 34.

Lastly, all of the lamp posts to which the banners are to be attached are relatively modern.

### **Constraints**

Flood Zone 3 Environment Agency

Flood Zone 2 Environment Agency

Flooding Groundwater

Flooding Surface Water 1 in 30

Flooding Surface Water 1 in 100

Flooding Surface Water 1 in 1000

Combe Valley Countryside Park

Low Pressure Pipeline SGN

High Pressure Pipeline 2km Buffer SGN

Network Rail Land Ownership 10m Buffer

Climate Change Outline Tidal 200 Years

Archaeological Notification Area

Historic Landfill Site 250m Buffer

Old Town Conservation Area

Town Centre Conservation Areas

### **Proposed development**

This proposal seeks advertising consent for the use of 28 existing lamp posts for advertising banners on behalf of Hastings Borough Council. It is proposed that the banners change regularly depending on the event advertised. However, the banners will usually be changed every fortnight or every two months. The banners themselves measure 0.7m W x 1.67m H and are made of PVC. The banners are to be located at a height of 3m above ground level. The lettering on the banners will measure no more than 0.3m and varies depending on the event advertised. Banners will be attached to a wind spring banner system complying to EN40 regulations. These regulations stipulate the maximum wind load that any type of signage is allowed to exert onto a standard street lighting column. The system is constructed with two black powder coated aluminium brackets and two fibre glass arms, integrated spring-loaded tensioning and a banner arm flexing mechanism. There are also 6 banding strips per set (3 per bracket). No illumination is proposed for the lamp post banners.

### **Relevant Planning History**

No relevant planning history

## **National and Local Policies**

### Hastings Local Plan – Planning Strategy (2014)

Policy FA1 - Strategic Policy for Western Area  
Policy FA2 - Strategic Policy for Central Area  
Policy FA3 - Strategy for Hastings Town Centre  
Policy FA5 - Strategic Policy for Eastern Area  
Policy FA6 - Strategic Policy for The Seafront  
Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way  
Policy EN1 - Built and Historic Environment  
Policy EN3 - Nature Conservation and Improvement of Biodiversity  
Policy E4 - Tourism and Visitors

### Hastings Local Plan – Development Management Plan (2015)

Policy LP1 - Considering planning applications  
Policy DM1 - Design Principles  
Policy DM3 - General Amenity  
Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)  
Policy HN4 - Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest  
Policy HN9 - Areas of Landscape Value  
Policy CQ1 - Cultural Quarters

### Other Policies/Guidance

Supplementary Planning Document - Shopfronts and Advertisements

### National Planning Policy Framework (NPPF)

The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Para 14 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Three dimensions of sustainability given in paragraph 7 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 10 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 7 - Requiring Good Design

Section 11 - Conserving and Enhancing the Natural Environment

Section 12 - Conserving and Enhancing the Historic Environment

### National Planning Practice Guidance (NPPG)

What factors can a local planning authority take into consideration when determining an advertisement application?

Regulation 3 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary or offensive to public morals.

Paragraph: 026 Reference ID: 18b-026-20140306

Revision date: 06 03 2014

"Amenity" is not defined exhaustively in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It includes aural and visual amenity (regulation 2(1)) and factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest (regulation 3(2)(a)).

### **Consultations comments**

#### **Highways - No Objection subject to condition**

No objection subject to a condition for the banners to be at least 2.1m above ground level. This was requested to ensure the safety of persons and vehicles proceeding along the highway.

#### **Conservation Officer - No Objection**

Not all of the lamp posts are located within conservation areas within the Borough. Lamp posts located on Havelock Road, Cambridge Road and the southern lamp posts of Queens Road are all within the Town Centre Conservation Area. Whereas the lamp posts located in The Stade open space are located in the Old Town Conservation Area. All the lamp posts within the conservation areas are of a modern style. The banners are considered to be relatively small in scale and therefore will not cause any impact on any adjacent listed building nor on the character of the conservation areas. The proposals comply with the requirements of the NPPF in respect of the conservation of heritage assets. The development is also in accordance with adopted local plan policies EN1 of the Local Planning Strategy 2014 and HN1 of the Development Management Plan 2015.

#### **Representations**

In respect of this application, 28 site notices were erected, each covering a lamp post. However, given that three lamp posts locations were incorrectly identified in the application by the applicant, a further three site notices were erected on the incorrect lamp posts identified and a new period of neighbour notification was undertaken. In response, eight letters of representation have been received. Six letters were objections, two of which were from local organisations. Two of the letters of representation were received following amended plans withdrawing their original objection, leaving a total of 4 letters of objection. The concerns within these letters are as follows:

- The borough has a lot of advertisements already and this will further add to the clutter.
- These banners could further distract vehicle users and cause danger to other drivers.
- The banners are unattractive to the character of the area, noted that this comment is in relation to the incorrectly identified lamp posts in Rock-A-Nore Road.
- There would be a need to update the banners on a regular basis and traffic problems may arise.

- PVC should be considered to be inappropriate in areas of the Old Town.
- There are concerns that the banners will replace the hanging flower baskets.
- Use of short heritage light lamp posts.
- Concerns that the banners will in future be used for commercial purposes.
- Maintenance issues for lamp posts.
- The Council should be looking for alternative ways to improve Queens Road.
- Concern regarding the way in which this application was publicised.

## **Determining Issues**

### Principle

The sites are in sustainable locations and the application is, therefore, in accordance with policy LP1 Hastings Local Plan - Development Management (2015) in this respect and acceptable in principle subject to other local plan policies.

### Impact on Character and appearance of area/Conservation Area

Policy HN1 of the Development Management Plan 2015 refers to how 'developments affect the significance of heritage assets (including conservation areas), in order to sustain and enhance the significance of the heritage asset'. It is noted that Policy EN1 of the Local Planning Strategy states that 'particular care will be given to protecting the significance and setting of the following heritage assets'. This application has 28 different lamp posts of which 10 are located within the Hastings Town Centre and Old Town Conservation Areas. Given that the application must take into account the significance and setting of the lamp posts, the Conservation Officer has been consulted on this matter. The small size and scale of the banners is such that there would not be significant harm caused to any adjacent heritage assets or wider views of the conservation areas in which the lamp posts sit. Furthermore the banners are considered to be temporary and will be removed and replaced on a regular basis, either every two weeks or two months depending on the event being advertised. As a result the banners can be removed quickly and without any loss to the characteristics of the area if required.

There has been some concern raised that the banners will not be maintained and will start to look worn over time especially in the conservation areas: any permission will include a condition for the maintenance and upkeep of the banners in all areas of the town. It is noted that one of the concerns in relation to this application was to the banners being unattractive to the character of the area. This comment was raised in relation to the incorrectly identified lamp posts in Rock-A-Nore Road. The amended plan shows that no lamp posts are erected in Rock-A-Nore Road and instead the lamp posts are located in The Stade which are of a modern design. Therefore no such conflict will occur as the banners are attached to modern lamp posts and sit well with this style of lamp post. The banners are small in scale and size and use of PVC is not considered harmful to the character of the conservation areas. The use of PVC in the Old Town Conservation Area is acceptable as it is located on a modern style lamp post in an area of the Old Town surrounded by the less historic buildings of the Jerwood Gallery, Stade Hall and Cafe. In terms of the banners in the Town Centre Conservation Area, these are located in areas where there is a mixture of shopfronts of differing colours and designs; the banners are considered to be no more intrusive. The concern in relation to the banner replacing the existing hanging flower baskets in Queens Road has been noted, however, the hanging baskets can still be placed on the lamp posts at the same time. Policy E4 of the Local Planning Strategy 2014 states 'working towards an all year round tourist season is a key aim for the town' and it can be suggested that the banners will provide a better means of promoting the town. Therefore taking into consideration the matters discussed above and the comments made by the Borough Conservation Officer, this proposal complies with policies HN1 of the Development Management Plan 2015 and Policy

EN1 of the Local Planning Strategy 2014 and is considered to be acceptable.

#### Impact on public safety

Policy DM3 of the Development Management Plan 2015 states that development would be acceptable where, amongst other things, 'it can be adequately demonstrated that there is no safety risk to the public, and that development is appropriately protected from any existing facilities that may affect amenity; for example busy roads, waste water treatment works etc;.(criterion H)' This proposal is located above ground level and will not provide any obstruction to road or pavement users. However, as a result of this application the East Sussex County Council Highway Lighting and Traffic Signals Team were consulted in relation to any impact that the banners may have on pedestrians and vehicles passing by. A recommendation for the banners to be at least 2.1m above ground level has been met as the proposal is located 3m from the ground. Taking this into account, it is considered that this proposal satisfies the recommendation from Highways and has taken into account Policy DM3 and is therefore considered to be acceptable.

#### Other

This application does not have any type of ground level impact and therefore will not increase the flood risk. Furthermore, the banners will not impact on any archaeological importance as no ground disturbance will result from the proposal. It is not expected that there will be any interference with low or high pressure pipelines, Network Rail land or impact on the Combe Valley Countryside Park.

### **Conclusion**

Taking the above into account, it is considered that the proposal would not have an unacceptable impact on the character of the areas or conservation areas or public safety and as such is recommended for approval.

These proposals comply with the development plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"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".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

### **Recommendation**

#### **Grant Advertisement Consent subject to the following conditions:**

1. 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.

2. 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.
3. 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.
4. 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.
5. 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 amenity.
6. The period of consent lapses at the expiration of five years from the date of issue.
7. There shall be a minimum clearance of 2.1 metres from the footway/verge level to the underside of the projecting sign.

**Reasons:**

1. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
2. In the interests of safeguarding the amenities of the area.
3. In the interests of safeguarding the amenities of the area.
4. In accordance with the Town & Country Planning (Control of Advertisements) Regulations 2007.
5. In the interests of safeguarding the amenities of the area.
6. To comply with regulation 14(5) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Any advertisement may continue to be displayed after this date, subject to the same conditions as set out in the Consent and the power of the District Planning Authority to require discontinuance of the display under Regulation 8.
7. To ensure the safety of persons and vehicles proceeding along the highway.

## **Notes to the Applicant**

1. Failure to comply with any condition imposed on this consent may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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## **Officer to Contact**

Mr S Morley, Telephone 01424 783277

## **Background Papers**

Application No: HS/AA/16/00920 including all letters and documents