

Application Number:	P/ADV/2023/07233		
Webpage:	Planning application: P/ADV/2023/07233 - dorsetforyou.com (dorsetcouncil.gov.uk)		
Site address:	Holton Heath Garage, Wareham Road, Holton Heath, BH16 6JW		
Proposal:	Erection of new advertising Totem Pole sign		
Applicant name:	Sterling Petroleum Ltd		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Ezzard, Cllr Holloway		
Publicity expiry date:	20 February 2024	Officer site visit date:	25/01/2024
Decision due date:	12 March 2024		

1.0 This planning application is required to be considered by the Planning Committee as Dorset Council is the freeholder of the land within the red line site boundary.

2.0 Summary of recommendation:

GRANT advertisement consent subject to conditions.

3.0 Reason for the recommendation:

The proposal is compliant with the NPPF, PPG and relevant policies of the Purbeck Local Plan 2012.

- The proposal is acceptable in impact on amenity.
- The proposal is acceptable in impact on public safety.
- There are no material considerations which would warrant refusal of this application.

4.0 Key planning issues

Issue	Conclusion
Impact on amenity	Acceptable subject to conditions.
Impact on public safety	Acceptable subject to conditions.

5.0 Description of Site

5.1 The application site consists of 1169 sqm (0.1169 ha) of land associated with Holton Heath Garage / Petrol Station. The site is located on the A351 Wareham Road, to the north-east of Organford. The red line includes the single storey shop building and yard to the rear, forecourt, new canopy (currently being installed), and access and egress from Wareham Road.

- 5.2 A mixture of uses surround the site including Holton Heath Park (park homes) to the rear, residential dwellings to the north-east and south-west, and Admiralty Park on the opposite side of Wareham Road. The adjoining residential bungalow of 'The Firs', which is located outside the site boundary but directly to the south-west of the shop building, is currently in a poor state of repair and believed to be uninhabited.
- 5.3 The site is located in the South-East Dorset Green Belt which washes over the entire area of Holton Heath / Organford. It is located outside a defined settlement boundary and within the countryside. The north-eastern access off Wareham Road also serves Holton Heath Park to the rear.

6.0 Description of Development

- 6.1 This application follows former approvals for the site (as detailed below) and proposes the erection of a new internally illuminated 6.83m high 'totem pole' sign to the front of the garage forecourt.

7.0 Relevant Planning History

P/FUL/2022/02394 - Removal of existing canopy, supply and fit of new canopy, fuel dispensers and islands, and new offset fillers – Granted 08/12/2022.

P/FUL/2022/04531 - Extension of existing Class E retail unit – Granted 23/02/2023.

P/ADV/2023/02384 - Erection of new Totem Sign to front of existing forecourt – Granted 13/09/2023

P/NMA/2024/00308 - Non Material Amendment to PA P/FUL/2022/04531 (extension of existing Class E retail unit) to make alterations to approved fenestration – Granted 08/02/2024.

8.0 List of Constraints

- Greenbelt
- Existing ecological network
- Higher Potential ecological network
- Site of Special Scientific Interest (SSSI) impact risk zone
- Radon: Class: Less than 1%
- Contaminated Land
- Medium pressure gas pipeline 25m or less from Medium Pressure Pipelines (75mbar - 2 bar) - Distance: 2.04

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

- 1. DC - Highways (received 23/02/24)**

- No objection subject to conditions and informative note.
- 2. Wareham St Martin Parish Council (received 25/01/24)**
 - No objection.
 - Request sign is turned off at night to maintain dark skies.
 - 3. Ward Members (Cllrs Holloway and Ezzard)**
 - No comments received.

Representations received

- The application was advertised by means of site notice to front of the application site. No other representations were received.

10.0 Duties

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

11.0 Relevant Policies

Development Plan

Adopted Purbeck Local Plan 2012:

Policy D – Design

Policy LHH - Landscape, Historic Environment and Heritage

National Planning Policy Framework:

Section 4 ‘Decision taking’ - Paragraph 38:

Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Section 12 ‘Achieving well-designed places’ - Paragraph 141:

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 account of cumulative impacts.

Other material considerations

Emerging Dorset Local Plan:

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Draft Dorset Council Local Plan should be accorded very limited weight in decision making.

Emerging Purbeck Local Plan:

The Purbeck Local Plan (2018-2034) Submission January 2019 ('the Submitted Draft Purbeck Local Plan') was submitted for examination in January 2019. At the point of assessing this application, examination of the Submitted Draft Purbeck Local Plan is ongoing, hearing sessions and consultation on Proposed Main Modifications and additional consultation on Further Proposed Main Modifications having been undertaken and a further public hearing session held on 19 July 2022. Updates on the latest position on the plan's examination and related documents (including correspondence from the Planning Inspector, Dorset Council and other interested parties) are published on Dorset Council website (www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news).

Having regard to the plan's progress through the examination and Dorset Council's position following consultation on the Proposed Main Modifications and the Further Proposed Main Modifications, at this stage only limited weight should be given to the Emerging Draft Purbeck Local Plan.

In the preparation of this report, account has been taken of the following draft policies of the Emerging Draft Purbeck Local Plan, but for the reasons set out above these policies should be accorded little weight in the determination of the application:

E12 - Design

Purbeck District Design Guide SPD (2014):

Paragraph 145:

Advertisements and signage should not appear visually dominant or incongruous when viewed within both the context of your property and its broader context. You

should take into account the cumulative (combined) impact of adding new signs or advertisements to existing to avoid visual clutter.

Paragraph 146:

If you are considering the use of illuminated signs, take note of the established level and type of building and street lighting within the vicinity. Consider the potential for light pollution, glare and other adverse impacts upon amenity arising from the use of lighting. Choose fittings that provide directed and discrete lighting. You should generally avoid internally lit box signs due to their bulk and excessive levels of lighting involved. Halo illumination (where low-key lighting is provided beneath solid built-up lettering providing a glow) may sometimes be appropriate.

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty.

There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

It is considered that the proposal would not result in any disadvantage to persons with protected characteristics.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Advertisement of commercial premises	Additional local employment opportunities
Non-Material Considerations	

15.0 Environmental Implications

- 15.1 There are no significant environmental impacts arising from the signage. The internally illuminated signage could result in some light spill, but its impacts can be mitigated by the imposition of conditions and the restriction of any illumination to correlate with opening hours of the filling station.

16.0 Planning Assessment

- 16.1 The main policy considerations are set out in paragraph 141 of Section 12 of the National Planning Policy Framework relating to adverts, which states that:

‘Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

Impact on Amenity

- 16.2 Planning Practice Guidance on ‘Advertisements’ (paragraph 79) advises that:

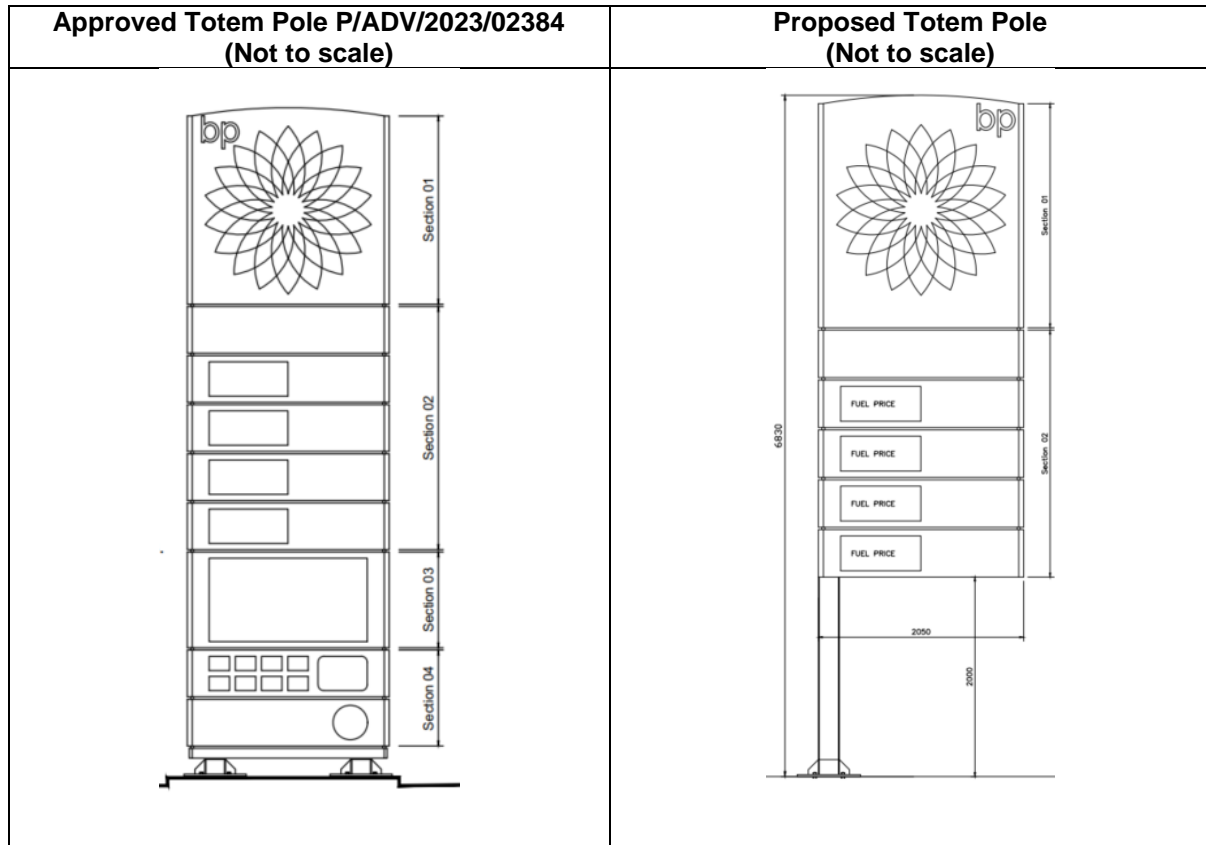
In practice, “amenity” is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

- 16.3 The immediate area surrounding Holton Heath Garage is largely residential in character with adjacent properties to the south-west, north-west and north-east consisting of bungalows and / or chalet bungalows with detached houses beyond. Also located to the north-east of the site is a vehicle dealers’ forecourt and vehicle repairs and MOT Centre. On the opposite side of Wareham Road is the site of the former Royal Naval cordite factory – a Scheduled Monument – which is screened from the application site and Wareham Road by extensive mature trees and vegetation. The overall character and appearance of the area to the western side of Wareham Road, and directly surrounding the application, is suburban in nature.
- 16.4 The proposed totem pole would be located directly to the front of the garage forecourt and would be viewed against the backdrop of the canopy and shop to the west and the busy Wareham Road (A351) to the east. The sign would measure 2.05m in width, 0.4m in depth, and 6.83m in height above ground level. Constructed of a steel frame and finished in moulded acrylic, the sign would be divided into 2 main internally lit coloured sections:

Section 1: Top of pole - BP colours of white, green (dark and light) and yellow to advertise the fuel provider logo (BP)

Section 2: - Bottom of pole - Fuel pricing panels x 5 in BP Light Green.

16.5 The pole would be of the same size, height and width as that approved by P/ADV/2023/02384 but would have a flag like appearance. In addition, the proposed pole would not be mounted on a slab which increased the overall height of the formerly approved totem pole to approx. 7m above ground level; it will now measure approx. 6.8m. An elevational comparison of the two poles is provided below:



16.6 Sited within an area of grass verge directly adjoining the footpath, the totem pole would be screened from wider views along Wareham Road by trees and vegetation to the north and south. Given the commercial character of the immediate setting, the proposed totem pole is not considered to appear out of place or intrusive within its setting.

16.7 It is proposed to illuminate the Totem Pole internally with static illumination. The Professional Lighting Guide 05 (PLG05) for 'The Brightness of Illuminated Advertisements' (by the Institute of Lighting Professionals, 2014) sets out the recommended illumination levels for five environmental zones from urban areas to protected dark sky areas. Whilst the application site is not located within a settlement boundary, the siting on the A351 with street lighting on both sides of the road is considered to fall within the 'suburban' environmental zone (E3) with medium district brightness associated with a suburban location. In such areas, the guide recommends a maximum luminance of 300cd/m² for an illuminated area of over 10m².

- 16.8 During the course of the application the planning agent has amended the elevational plans to include a reduced levels of illuminance of the advertisement as recommended by an accompanying lighting assessment.
- 16.9 The table below sets out a comparison of the proposed levels of illumination for approved Totem Pole Sign P/ADV/2023/02384 with the current application.

Pole Section	P/ADV/2023/02384 Approved Luminance (Cd/m²)	P/ADV/2023/07233 Proposed Luminance (Cd/m²)
Section 1	400	175
Section 2	200	175
Section 3	400	N/A
Section 4	250	N/A

The proposed illumination levels for both sections of the sign are now below the recommended luminance levels for a suburban area as set out in the Professional Lighting Guide and are lower than that of the formerly approved totem pole.

- 16.10 Given the character of the area, the main road siting, and the presence of street lighting, it is considered that the level of illuminance would not result in demonstrable harm to the amenity of the area and would provide a betterment compared to the existing consent. The Parish Council has requested that the sign is turned off at night-time, and it is considered reasonable to impose a condition that restricts the illumination of the sign to between the hours of 6am - 11pm only, so as to match the conditioned hours of use of the forecourt and retail unit. It is also considered reasonable to include a condition on the decision that limits the maximum illuminance of the proposed signage sections as set out in the table above.
- 16.11 The Former Royal Naval Cordite Factory Scheduled Monument is located to the east of the application site on the opposite side of Wareham Road. The site is well screened by existing tree foliage and with the presence of street lighting on both sides of the road, the proposed signage is not considered to affect the character and setting of the Scheduled Monument.

Impact on Public Safety

- 16.12 Planning Practice Guidance on 'Advertisements' (paragraphs 67 – 78) identifies considerations affecting public safety as including impacts on the safety of roads, railways, waterways, docks, harbours, aircraft, aerodromes, and impacts on crime prevention measures.
- 16.13 The application site is located adjacent to the A351 Wareham Road and impacts on public safety are restricted to highway and pedestrian safety only. Following the submission of an amended proposed site plan to demonstrate that the proposed sign will not impinge on the visibility of drivers in vehicles with higher seating levels (lorries etc), the Council's Highway Engineer has raised no objection to the proposed totem pole subject to conditions on the decision requiring the advertisement to be static only and to prevent illumination directed towards the highway. There is considered to be no harmful impact with regard to highway safety, the obstruction of road user views, or glare / dazzle / to road users.

- 16.14 The sign would be located on an area of grass verge adjacent to the footpath and would not infringe on footpath accessibility or pedestrian views and visibility.

17.0 Conclusion

- 17.1 For the above reasons, and subject to conditions, officers consider that there would be no significant individual or cumulative impact on amenity or public safety resulting from the proposed totem pole sign which is considered to accord with the requirements of Policy D of the PLP 2012 and paragraphs 145 and 146 of the Purbeck Design Guide SPD 2014. The proposed signage would have a lesser visual impact than the larger totem sign which benefits from advertisement consent P/ADV/2023/02384.

18.0 Recommendation

GRANT subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
PP-12667023 1 Location Plan
KKR-1516 PS-05 Block Plan and Location Plan
KKR-1516 PS-03 A Proposed Site Plan
KKR-1516 PS-04 A Proposed Elevations and Pole Sign Details

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

2. 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.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. No advertisement shall be sited or displayed so as to; a)danger 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 purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. 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.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. 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.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. 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.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The illumination of the advertisement hereby permitted must be static, have no moving parts, no flashing lights, no animation, no reflective material and no images that could lead it to be confused with a formal road signs.

Reason: In the interests of amenity and public safety

8. The sign hereby approved shall not be illuminated outside of the opening hours of 6am - 11pm of the business to which this signage relates.

Reason: In the interests of amenity.

9. Any lighting and/or floodlighting must be located and screened in such a manner that no illumination is directed towards the adjoining highway.

Reason: To ensure that drivers aren't dazzled or distracted by the light.

10. The illumination of the advertisement hereby permitted shall not at any time exceed sections levels above 175cd/m² as identified on approved plan KKR-1516 PS-04 A - Proposed Elevations and Pole Sign Details.

Reason: In the interests of amenity and public safety.

Informative Notes:

1. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.