Paragraph 6.43 would appear to be mostly unnecessary. The Council owns the public realm; and they therefore have full control over all advertisements displayed therein as landowners. This also applies to advertisements on the pavement (second sentence of paragraph 6.44). Perhaps all this text could be reduced to a simple statement that the Council will take particular care to ensure that advertising within the public realm is well-managed.

Paragraph 6.44 is a confusion of different strands. The comment on “proliferation” is repeated from paragraph 6.42 and should be omitted. Advertising hoardings are inevitably sited on private land and, for that reason, will not block views or vistas along public streets. Nor is it anyway likely that an advertising hoarding will affect “orientation and understanding” of the public realm. Perhaps the Council could give an example of how this could possibly occur? Indeed, there is no reason for any special mention of advertisement hoardings in paragraph 6.44. Hoardings are advertisements like any other; and they are subject to exactly the same considerations of amenity and public safety. They should be assessed as any other advertisement for which the criteria are briefly stated in the fourth and fifth sentences of paragraph 6.44. This is supported by evidence taken from Inspector’s Report at the Local Plan Inquiry at Mendip DC. The Inspector concluded that a similar reference being put forward by the Council was not justified. I quote from paragraph 4.182 of the Inspector’s Report:

“There is also no need to make special mention of poster hoardings. They clearly fall within the normal meaning of advertisements (PPG19, 3) and, whilst they are the subject of specific guidance in the annex to PPG19, they are still subject to the same amenity and public safety tests contained in the Regulations as other outdoor advertising.”

For these reasons, we consider that the first three sentences of paragraph 6.44 are superfluous and should be deleted.

Paragraph 6.45 is again a repeat of the “proliferation” advice in paragraph 6.42. Paragraph 6.45 should be deleted.

It is hoped that these comments are found to be useful and informative, if you have any further questions, please contact me.

Yours faithfully

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1 February 2012

Dear Sir/Madam,

Merton LBC – Sites and Policies DPD – Consultation Draft, January 2012

These representations are submitted on behalf of the Outdoor Media Centre (OMC – formerly the Outdoor Advertising Association) in response to Policy DM D5 of the above draft LDF DPD

The OMC represents 97% of the outdoor advertising industry and monitors development plans throughout the country to ensure the emerging LDF policies do not inappropriately apply more onerous considerations on advertisements than already apply within PPG19, DCLG Circular 63/2007 and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

In DM D5, the “Policy” should refer to the granting of express consent – planning permissions are not granted for advertisement displays. In the third line of the “Policy”, what is meant by “defined” character? “Defined” where? We consider that “defined” is unnecessary and should be deleted.

Paragraph 6.42 does not make sense. We do not believe that it can be said that a particular “form” of advertising is necessarily intrusive through proliferation (although a proliferation of any, or all, forms of advertising can be intrusive). We consider that the first sentence of paragraph 6.42 is an important consideration; but, for clarity, that the rest of paragraph 6.42 should be deleted and replaced with:

“However, it is important that advertising material (including advertisements which may be considered individually acceptable) does not proliferate to an extent to spoil the appearance of individual buildings or the street. The Council will be vigilant in using its powers to prevent such an excess.”