

APPLICATION: MA/12/0289 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: MEDWAY STREET CAR PARK, MEDWAY STREET, MAIDSTONE, KENT, ME14 1JS

PARISH: Maidstone

PROPOSAL: Advertisement consent for the installation of 1 non illuminated free standing poster cases as shown on scale 1:1250 site location plan and supporting documents received on 17 February 2012.

AGENDA DATE: 29th March 2012

CASE OFFICER: Laura Gregory

The recommendation for this application is being reported to Committee for decision because:

- The Council is the applicant.

## **1. POLICIES**

- Maidstone Borough-Wide Local Plan 2000: ENV8
- South East Plan 2009: CC1, BE1
- Government Policy: PPG19

## **2. HISTORY**

2.1 None.

## **3. CONSULTATIONS**

3.1 None.

## **4. REPRESENTATIONS**

4.1 No letters of representation received.

## **5. CONSIDERATIONS**

### **5.1 Site Description**

5.1.1 The application site relates to a public car park which is located off Medway Street. It is not located within a Conservation Area and is not subject to any landscape restrictions as designated within the Development Plan.

5.1.2 The site is located within an area that is mainly commercial and there are a variety of illuminated and non illuminated signs in place within the vicinity of the site. The surrounding buildings are of varied design, style and age and include single storey, 2-storey and 4-storey buildings. The appearance of this part of the streetscene is not particularly notable.

### **5.2 Proposal**

5.2.1 Advertisement consent is sought for the installation of one non illuminated free standing poster case.

5.2.2 Constructed of aluminium the proposed poster case would be painted corporate blue and have a polycarbonate face. It would be affixed to an aluminium frame and would measure 1.09m wide and 1.6m high and would have a depth of 0.05m. It would measure approximately 0.6m above ground level and would be placed between two sign posts at the entrance to the car park of the right hand side

### **5.3 Planning Assessment**

5.3.1 The main issues to consider are whether the proposed signage meets the criteria of Policy ENV8 of the Development Plan. This policy allows new adverts provided that in terms of scale and design, they are not detrimental to the character and appearance of the surrounding area and do not pose a hazard to public safety. This follows government advice which is contained within PPG19.

5.3.2 Under PPG19 it is stated that local planning authorities should have regard to the effect of an advertisement would have on the appearance of the building or on the visual amenity of the immediate neighbourhood where it is to be displayed. It is also stated that LPA's should also have regard to the effect an

advertisement would have upon the safe use and operation of any form of traffic or transport on the land (including the safety of pedestrians)

#### Visual Amenity

- 5.3.3 The proposed poster case is of modest size which would not appear visually obtrusive. A rectangular shaped sign, the proposed poster case would retain the appearance of a public notice which is not out of character with its surroundings. The proposed colour of the poster case is acceptable, as are the materials, and as such the sign would not be visually harmful. The decision not to illuminate the sign is welcomed as this would further reduce its visual impact.
- 5.3.4 Overall the proposed sign is simple and of a modest size which would not cause harm to the visual amenity of the area. It is therefore considered acceptable in terms of impact upon visual amenity.

#### Public Safety

- 5.3.5 Given that the proposed sign would not be of a flashing type, I consider that this proposal would not present any highway safety implications to highway users or create any public safety issues to pedestrians.

#### Residential Amenity

- 5.3.6 As the site is neither adjacent to nor adjoins any residential property, I do not consider that any harm to residential amenity would be caused by this proposal.

## **6. CONCLUSION**

- 6.1 To conclude, for the reasons stated above, I consider that the proposed sign is acceptable and in accordance with the relevant provisions of the Development Plan and amenity impacts on the local environment and other material considerations such as are relevant. With not overriding matters that would otherwise warrant a refusal, I recommend conditional approval of the application on this basis.

## **7. RECOMMENDATION**

GRANT ADVERTISEMENT CONSENT subject to the following conditions:

1. The advertisement(s) for which consent is hereby granted must be removed in accordance with condition 1 (iii) within five years of the date of this consent;

Reason: In accordance with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. (i) 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.
  - (ii) 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.
  - (iii) 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.
  - (iv) 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.
  - (v) 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: In accordance with the provisions of Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

The proposed development, subject to the conditions stated, is considered to comply with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000 and the South East Plan 2009) and there are no overriding material considerations to indicate a refusal of planning consent.