

APPLICATION: MA/12/0298 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: TOILET BUILDING, BRENCHLEY GARDENS, STATION ROAD,
MAIDSTONE, KENT, ME14 1QJ

PARISH: Maidstone

PROPOSAL: Advertisement consent for the installation of one non illuminated poster case as shown on the 1:1250 scale site location plan and the photographs received on 17/02/12.

AGENDA DATE: 29th March 2012

CASE OFFICER: Louise Welsford

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

- The Council is the applicant.

1.0 POLICIES

- Maidstone Borough Wide Local Plan 2000: ENV8.
- The South East Plan RSS 2009: BE1, BE6.
- Government Policy: PPG19 – Outdoor Advertisement Control, PPS5 – Planning for the Historic Environment.

2.0 HISTORY

2.1 The most relevant planning history is:

MA/95/1411 Erection of single storey side extension to provide disabled toilet and baby changing area - Approved

3.0 CONSULTATIONS

3.1 PARISH COUNCIL: Not applicable.

3.2 CONSERVATION OFFICER: Raises no objection.

4.0 REPRESENTATIONS

4.1 NEIGHBOURS: No response received to date.

5.0 CONSIDERATIONS

5.1 Site and Surroundings

5.1.1 The application site contains a public convenience building, which is located within Brenchley Gardens, a public park. The building is located in the north eastern corner of the park and faces Station Road. It is of utilitarian appearance and has a flat roof. The site lies within the Chillington House Conservation Area, within the urban area of Maidstone.

5.2 Proposal

5.2.1 Advertisement consent is sought for the installation of one non-illuminated poster case. The sign would be located upon the eastern elevation of the building and would be positioned 0.4m above ground level. It would measure 1.6m x approximately 1m. The frame would be Maidstone Borough Council's corporate blue. I understand that it would be used for general advertising (rather than specifically Council business) and that what it advertises may be subject to change.

5.3 Assessment

5.3.1 The most relevant policy under the Maidstone Borough Wide Local Plan 2000 is Policy ENV8 which permits new advertisements provided that, in terms of scale and design, they would not be detrimental to the character and appearance of the surrounding area. In addition, PPG19 requires consideration to be given to the issues of visual amenity and public safety, and, indeed, visual amenity and public safety are the only considerations under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5.3.2 This is a bland building of utilitarian appearance and the proposed sign would not cause harm to its visual appearance. Although the site lies within the Conservation Area, the proposal would not cause significant harm to its character or appearance, because of the type of sign, the fact that it would not be illuminated and the siting. The building is close to the eastern boundary of Brenchley Gardens and faces out of the park, such that the sign would generally not be seen in key views of the park, or with important features such as the War Memorial, Bandstand and St Faith's Church. In this corner of the Conservation

Area, and upon this building, I do not consider that the sign would cause significant visual harm.

5.3.3 Due to its siting, the proposal would not cause significant harm to public or highway safety.

6.0 CONCLUSION

6.1 Taking all of the above into account, it is considered overall that the proposal complies with Development Plan policy and the Central Government guidance as set out in PPG19. I therefore recommend approval subject to the conditions set out below.

7.0 RECOMMENDATION

GRANT ADVERTISEMENT CONSENT subject to the following conditions:

1. (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.

2. 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.

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.