

APPLICATION: MA/12/0300 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: TOILET BUILDING, FAIRMEADOW, MAIDSTONE, KENT

PARISH: Maidstone

PROPOSAL: Advertisement consent for the installation of 1(no) non-illuminated poster case as shown on the 1:1250 scale site location plan and supporting documents received on 17/02/12.

AGENDA DATE: 29th March 2012

CASE OFFICER: Angela 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.
- Government Policy: PPG19 – Outdoor Advertisement Control.

2.0 HISTORY

2.1 MA/98/0414/01 -Submission of reserved matter details being design and external appearance pursuant to outline permission reference MA/98/0414 for toilet block refurbishment – APPROVED (02/07/99)

MA/98/0414 - An outline planning application for toilet block refurbishment; resurfacing and walling refurbishment; planting, decorative lighting, refreshment kiosk improvements and signage with all matters except for means of access and siting reserved for future consideration – APPROVED (22/05/98)

3.0 CONSULTATIONS

3.1 PARISH COUNCIL: Not applicable.

4.0 REPRESENTATIONS

4.1 NEIGHBOURS: No response received to date.

5.0 CONSIDERATIONS

5.1 Site and Surroundings

5.1.1 This application relates to a building housing public conveniences located on the east bank of the River Medway, on the sunken area of land between Broadway Bridge and St Peter's Bridge in Maidstone town centre.

5.1.2 The building is a predominantly brick-built structure with a very shallow-pitched slate roof featuring a central series of lantern skylights. It is set back from the main paved walkway along the river bank, amongst trees and landscaping. On the higher ground to the rear is an electricity sub-station and parking area. Beyond that, to the north-west, the St Peter's Street retail development is visible in the distance.

5.2 Proposal

5.2.1 Advertisement consent is sought to erect a non-illuminated poster case 0.7m above ground level, on the orange rendered panel on the south-facing wall of the building. This would have an aluminium frame, finished in the Council's corporate blue and would measure 1.6m in height by 1.09m in width. It is understood that the advertising space within would be sold, but that any advertisement placed there would be a non-illuminated poster.

5.3 Assessment

5.3.1 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 for this type of application under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007. 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.

5.3.2 In terms of visual amenity, the host building is a utilitarian structure which itself is not prominently sited and, given the modest scale and relatively unobtrusive nature of the poster case, (since it would not be illuminated), I do not consider that the proposal would have a significantly detrimental impact upon either its character and appearance or those of the surroundings. Although there are no

other adverts in its immediate vicinity, in long-range views it would be seen in conjunction with the far larger and sometimes internally-illuminated signage at the St Peter's Street retail park and at the west end of Maidstone High Street, and as such would not appear out of place or harmful. Due to the small surface area, of only approximately 1.7m², it is my view that any advertisement inserted into the poster case would not appear prominent or obtrusive. In summary, therefore, I find the proposal to be acceptable in terms of its impact on visual amenity.

5.3.3 The poster case would be fixed to the wall of the building and would only protrude 5cm so would not affect public safety. Given its position within a pedestrianised area and at a sunken level in relation to the gyratory road system, plus its non-illuminated nature, it would not affect 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 that Members grant 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.