

APPLICATION: MA/12/0301 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: TOILET BUILDING, MID KENT SHOPPING CENTRE, CASTLE ROAD, MAIDSTONE, KENT, ME16 0PU

PARISH: Maidstone

PROPOSAL: Advertisement consent for the installation of 1 non illuminated poster case 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, R10
- South East Plan 2009: CC1, BE1
- Government Policy: PPG19

2. HISTORY

- 2.1 MA/05/0055 - An application for advertisement consent for the installation of 1 number internally illuminated free standing sign and 1 number externally illuminated free standing sign – APPROVED.
- 2.2 MA/97/0045 - Advertisement consent application for illuminated and non-illuminated fascia and pole mounted signage. Signs to be situated on the building and around the Mid-Kent Shopping Centre – APPROVED.
- 2.3 MA 87/0784 - Internally illuminated fascia sign – APPROVED.
- 2.4 MA/76/0632 - Internally illuminated shop fascia sign – APPROVED.

2.5 MA/77/1118 - Shop sign and direction sign – REFUSED.

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 is the toilet building which is located to the north of the Mid Kent shopping centre. The building is not listed or located within a conservation area. It is located within a local centre as designated within the Development Plan. Access to the building is obtained off Castle Road and the car park to west of the building.

5.1.2 With the exception of the shopping centre the surrounding area is predominantly residential. The houses which surround the shopping centre are a mix of single storey and two storey dwellings. There is limited signage in the area with the majority of adverts restricted to within the shopping centre complex.

5.2 Proposal

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

5.2.2 Constructed of aluminium the proposed poster case would be painted corporate blue and have a polycarbonate face. Placed on the west elevation of the building, the poster case would measure 1.09m wide and 1.6m high and would have a depth of 0.05m. It would measure approximately 0.94m above ground level.

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 or, the building to which it would be attached. The proposed colour of the poster case is acceptable, as are the materials, and as such, the sign would not be detrimental to the building. The sign would be non-illuminated and this is acceptable.

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 and away from the highway, 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. 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.