

APPLICATION: MA/12/0303 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: PAVILION TOILET BUILDING, MOTE PARK, 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, BE6.
- Government Policy: PPG19 – Outdoor Advertisement Control.

## **2.0 HISTORY**

2.1 There is no planning history for the actual application building.

2.2 Recent relevant planning history for Mote Park is:

MA/10/1271 - Proposed works include new DDA compliant footpath, steps and viewing point adjacent to Cafe area, new enclosed maintenance yard area adjacent to the existing WC/maintenance building, enlargement and formation of new car park facility to Mote Avenue car park, new hard-standing and repositioned model boat platform to the historic boathouse lake edge, new inner and outer circuit footpath, permitting wheelchair access around the park, formation of new car park facility at burning ground, repair of lake crossing causeway and new bridge construction – APPROVED (23/09/10)

### **3.0 CONSULTATIONS**

3.1 PARISH COUNCIL: Not applicable.

3.2 CONSERVATION OFFICER: No objection. The fixing of a poster case to the wall of this already unattractive building will cause no significant additional harm to the character of the historic park.

### **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 in Mote Park, a historic park located within the urban area of Maidstone. The park contains a Grade II\* listed building, Mote House, with associated outbuildings, plus a lake, walks and other public leisure facilities such as a miniature railway and miniature golf course.

5.1.2 The application building is a brick-structure with a flat felted roof, located on the southern side of the lake beside the miniature golf course and in close proximity to the café. The eastern half is the pavilion volunteer's office for the Pitch & Putt, whilst the western half houses the public conveniences.

#### **5.2 Proposal**

5.2.1 Advertisement consent is sought to erect a non-illuminated poster-case 0.3m above ground level on the west-facing flank 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 an unattractive, utilitarian structure 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 on the character or appearance of its surroundings, or cause any material harm to the character of the historic park. It would not look out of place as there are other signs on the building relating to the Pitch and Putt and advertising the Cobtree Manor Park Golf Course, plus there are a number of free-standing sign boards outside the café, some 35m to the west, plus advertisements upon its windows. However, it would not appear cluttered, as there are no other signs on the side of the application building, and the café is set a sufficient distance apart. Furthermore, due to the small surface area, of only approximately 1.7m<sup>2</sup>, 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 public park and its non-illuminated nature, it would not affect highway safety.

## **6. 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.