

APPLICATION: MA/12/0304 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: PUBLIC CONVENIENCES, PENENDEN HEATH, MAIDSTONE, KENT, ME14 2DH

PARISH: Maidstone

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

AGENDA DATE: 29th March 2012

CASE OFFICER: Kathryn Altieri

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: N/A
- Village Design Statement: N/A
- Government Policy: PPG19 (Outdoor Advertisement Control)

2. HISTORY (relevant)

- MA/08/2403 - Refurbishment of public conveniences - approved/granted with conditions
- MA/95/1410 - Erection of single storey side extension to provide a disabled toilet - approved/granted with conditions

3. CONSULTATIONS

- Councillor Paterson: Raises concerns that the proposed advert would not be in keeping with the natural look of the Heath and the existing modest signage; and that it could attract unwanted or anti-social behaviour. Councillor Paterson did not specifically ask for it to be reported to Planning Committee.

4. REPRESENTATIONS

- None

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The flat roofed toilet building is sited on the northern side of Penenden Heath, with The Bull Inn Public House to the west, tennis courts to the north and the pavilion to the east of the site. The site is within the urban area as shown by the Maidstone Borough-Wide Local Plan 2000.

5.2 Proposal

5.2.1 This advertisement consent is for the installation of one non-illuminated poster case, some 1.6m in height, 1.09m in width and 0.05m in depth. Positioned to the front of the toilet block, the aluminium framed poster case would be set 0.3m above ground level. The poster case will be a protective frame for adverts/information that will change on a regular basis.

5.3 Principle of Development

5.3.1 Under the Maidstone Borough-Wide Local Plan 2000 policy ENV8 and Government advice set out in PPG19, the scale, design and siting of an advertisement must not have a detrimental impact upon the character and appearance of the surrounding area.

5.4 Visual Impact

5.4.1 The proposed poster case would project a negligible distance from the wall it would be fixed to; and what with its minimal surface area of some 1.75m², I am of the view that the changing adverts to be inserted inside would not appear unduly out of keeping or visually obtrusive from any public vantage point.

5.4.2 Therefore, given the modestly scaled and unobtrusive nature and siting of the proposal, set against the background of the generic toilet building, I consider that the poster case would not have an adverse impact upon the character and appearance of the surrounding area.

5.5 Other considerations

5.5.1 Given the proposal's scale, design, nature and location, there would be no significant neighbour amenity or highway safety issues. I would also like to add

that anti-social behaviour is not a material planning consideration in the determination of this application.

6. CONCLUSION

- 6.1 The comments raised by Councillor Paterson have been considered in the main body of this report.
- 6.2 It is therefore considered overall that the advertisement is acceptable with regard to the relevant provisions of the development plan, Government guidance and the amenity impacts on the local environment and other material considerations such as are relevant. I therefore recommend conditional approval of the application on this basis.

7. 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.