

APPLICATION: MA/12/0283 Date: 17 February 2012 Received: 17 February 2012

APPLICANT: Miss A Fraser - Communications, Maidstone Borough Council

LOCATION: BREWER STREET EAST CAR PARK, BREWER STREET, MAIDSTONE, KENT

PARISH: Maidstone

PROPOSAL: Advertisement consent for 1 non illuminated free standing poster case as shown on site location plan, application form and supporting statement received 17th February 2012.

AGENDA DATE: 29th March 2012

CASE OFFICER: Kevin Hope

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: CC6
- Government Policy: PPG19

## **2. HISTORY**

2.1 No relevant previous planning history.

## **3. CONSULTATIONS**

3.1 Conservation Officer – Raises no objections and the following comments:-

“This poster case will have little impact on the character of the Conservation Area”.

## **4. REPRESENTATIONS**

4.1 No representations have been received.

## **5. CONSIDERATIONS**

### **5.1 Site Description**

5.1.1 This application site comprises part of a car park located to the southern side of Brewer Street. The site lies within the Holy Trinity Church Conservation Area and is also within the urban area of Maidstone as shown within the Local Plan 2000. The proposed sign would be sited adjacent to the entrance to the car park and would face north. The sign would be sited approximately 2m to the south of the road. The surrounding area comprises a mix of buildings in business use (A1, A3, B1) and rows of Victorian terraced dwellings with semi detached properties located opposite the application site. Brewer Street is a narrow no-through road on the edge of the town centre which provides pedestrian access to the northern end of Week Street.

### **5.2 Proposal**

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

5.2.2 The proposed poster case would be constructed of aluminium and have a polycarbonate face. The proposed sign would measure 1.6m in height, 1.09m in width and 0.05m in depth. This would also stand 0.75m 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 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.

#### 5.4 Visual Amenity

5.4.1 The proposed poster case is of modest size and would be sited behind the front boundary wall of the Brewer Street car park. There is an existing free standing sign already in place facing the car park which displays the parking charges, the proposed sign would be positioned next to this facing north. It is considered that due to its modest scale and siting next to other street furniture, the proposed sign would not cause any significant visual harm to the surrounding area. Due to its scale and shape, the proposed poster case would retain the appearance of a public notice which is not out of character with its surroundings. The proposed materials of the poster case are considered acceptable and would not be detrimental to the area. As such, the proposed sign would not cause harm to the appearance or character of the surrounding conservation area. The conservation officer is also of this view. The decision to not illuminate the sign is considered appropriate for this location to further reduce the visual impact of the proposal.

5.4.2 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.

#### 5.5 Public Safety

5.5.1 Given the proposed siting of the sign set back from the road and its scale, I consider that this proposal would not present any highway safety implications to highway users or create any public safety issues to pedestrians.

#### 5.6 Residential Amenity

5.6.1 In terms of the impact upon residential amenity, it is noted that there are a number of residential properties to the north and west of the site. However, it is considered that due to the siting of the proposed sign at least 10m to the south east of the closest neighbouring property to the north, 35 Brewer Street together with its modest scale, there would not be a detrimental impact upon the amenity of the surrounding properties as a result of the proposed sign. It is also noted that the proposed sign would not be illuminated which would further reduce the impact of the proposed sign upon amenity.

## **6. CONCLUSION**

- 1.1 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 no 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. (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.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site location plan, application form and supporting statement received 17th February 2012.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers in accordance with policy ENV8 of the Maidstone Borough Wide Local Plan 2000 and policy CC6 of the South East Plan 2009.

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.