

APPLICATION: MA/14/0175 Date: 29 January 2014 Received: 21 February 2014

APPLICANT: Mr Graeme MacLennan, Parkwood Leisure

LOCATION: HAZLITT THEATRE, EARL STREET, MAIDSTONE, KENT, ME14 1PL

PARISH: Maidstone

PROPOSAL: Advertisement consent for the installation of 6no non illuminated vertical banner signs to existing brackets and 3no non-illuminated windows graphics as shown on application Form received 3rd February 2014 and supporting plans and information received 21st February 2014.

AGENDA DATE: 20th March 2014

CASE OFFICER: Kevin Hope

The recommendation for this application is being reported to Committee for decision because:

- The Council has an interest in the application.

1. POLICIES

- Maidstone Borough-Wide Local Plan 2000: ENV8
- Village Design Statement: N/A
- Government Policy: National Planning Policy Framework 2012

2. HISTORY

- 2.1 MA/11/0912 - Introduction of a plant room and associated equipment and staircases to the roof – Approved with conditions
- 2.2 The proposal site has an extensive planning history, in respect of applications for planning permission, listed building consent and advertisement consent, most of which are not directly applicable to the current proposal. The most recent application is listed above.

3. CONSULTATIONS

- 3.1 **Conservation Officer:** Raises no objections with the following comments:-

"The proposed signs are acceptable in their impact on the listed building and conservation area. I raise no objections to this application on heritage grounds".

4. REPRESENTATIONS

4.1 No representations have been received.

5. CONSIDERATIONS

5.1 Site Description

5.1.1 The application site is located within the town centre of Maidstone to the south east of Earl Street, the north east of Market Buildings and the south west of Rose Yard. The site comprises the Hazlitt Theatre which forms part of a group of Grade II listed two storey mid nineteenth century buildings of classical form, including a Corn Exchange, with later twentieth century additions and alterations to the rear (Rose Yard).

5.1.2 The site is located within the Maidstone Centre Conservation Area, and within the secondary retail area of Maidstone.

5.1.3 The surrounding properties are in mixed commercial uses, and there is no residential development immediately adjacent to the site of the proposed development.

5.2 Proposal

5.2.1 Advertisement consent is sought for the installation of 6no non illuminated vertical banner signs to existing brackets and 3no non-illuminated windows graphics.

5.2.2 The proposed banner signs would be located on existing brackets with two to the front elevation, two to the south western side elevation and two to the north eastern side elevation of the building. The banners would measure 1.5m in height and 0.5m in width and would include the Hazlitt Theatre logo and text as well as the Maidstone Borough Council logo.

5.2.3 The proposed window graphics would be located to the ground floor of the south western side elevation and would comprise theatre contact information and current/coming soon events.

5.3 Assessment

5.3.1 The National Planning Policy Framework requires consideration to be given to the issues of visual amenity and public safety, which is consistent with the considerations outlined 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. In this case, of particular importance is the impact of the proposal on the character and appearance of the conservation area and host listed building which will be assessed below.

5.4 Visual Impact

5.4.1 In terms of visual amenity, the key issue to consider is whether the proposed banners would cause visual harm to the surrounding area given the listed status of the building and the Conservation Area location of the site. As previously discussed, the brackets for the adverts are existing and have comprised similar adverts in the past. These are of an appropriate scale and do not cause significant harm to the visual appearance of the building itself. In terms of the conservation area, due to the town centre location of the site together with the mix of businesses, there is a wide variety of signs within the locality. This includes similar banners and flags to other buildings within the conservation area. I do not consider this to be visually harmful to the appearance of the area and consistent with the vibrant character of this busy street.

5.4.2 With regard to the window graphics, these would be located within a side elevation partly under the market buildings which is not a prominent section of the building. The adverts are appropriate in design and scale and are an acceptable form of advert to existing non-active windows. The conservation officer considers the proposed adverts to be acceptable and has raised no objections to the proposal. As such, I consider the adverts proposed to be appropriate in scale and design and would not have a detrimental impact upon the surrounding conservation area or host listed building.

5.5 Public Safety

5.5.1 The banners are positioned above pedestrian areas of Earl Street and Market Buildings and would be sited some 5m from ground level. This is clearly sufficient and would not lead to any public safety issues. Due to the nature of the window graphics proposed, there would not be any public safety issues as a result of these adverts.

5.5.2 Due to their height and non-illuminated nature, I do not consider that the adverts would affect highway safety.

5.5.3 Due to the nature of this proposal and its proximity to the surrounding buildings, there would not be any detrimental impact upon neighbouring residential amenity.

6. CONCLUSION

6.1 Taking all of the above into account, it is considered overall that the proposals comply with Development Plan policy and the Central Government guidance as set out in the National Planning Policy Framework. I therefore recommend conditional approval as below.

7. RECOMMENDATION

Subject to the expiry of the most recent consultation period, The Head of Development Management be granted delegated powers to approve subject to the imposition of 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 (V) 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:

Application Form received 3rd February 2014 and supporting plans and information received 21st February 2014.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

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 there are no overriding material considerations to indicate a refusal of planning consent.