

## REPORT SUMMARY

<b>REFERENCE NO - 16/502061/ADV</b>		
<b>APPLICATION PROPOSAL</b> Advertisement consent for 1 x externally illuminated fascia sign and 1 x externally illuminated projecting sign.		
<b>ADDRESS 27 High Street, Headcorn, Kent, TN27 9NH</b>		
<b>RECOMMENDATION</b> <b>APPROVAL</b>		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Headcorn Parish Council has requested that the application be referred to the Planning Committee.		
<b>WARD</b> Headcorn	<b>PARISH/TOWN COUNCIL</b> Headcorn	<b>APPLICANT</b> Goldex Investments Ltd  <b>AGENT</b> Architecture Design Limited
<b>DECISION DUE DATE</b> 12/05/16	<b>PUBLICITY EXPIRY DATE</b> 21/04/16	<b>OFFICER SITE VISIT DATE</b> 31/03/16
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>		

- 16/502060/FULL - Change of use from a kitchen showroom (A1 use) to a mixed class coffee shop (A1/A3 use) and installation of shop front. – Pending Decision.
- 98/0697 - Advertisement application for externally illuminated fascia sign - Application Permitted 18.06.1998

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

1.01.1 The application site comprises a detached 2-storey building located to the northern side of the High Street in Headcorn. The building is presently unoccupied but has most recently been used as a kitchen showroom. There remains an externally illuminated sign across the front of the shop relating to the former use as well as a bracket at first floor level to accommodate a hanging sign, although no sign is in place.

1.01.2 In terms of neighbouring uses, no.25 is occupied by a furniture and picture framing shop and is part of a terrace of shops that are grade II listed. No.29 is the George and Dragon public house. On the opposite side of this part of the High Street there is a post office/shop as well as residential dwellings that are also grade II listed buildings.

1.01.3 Headcorn High Street is designated as a Conservation Area and no.27 is subject to an Article 4 Direction. In addition, the High Street is also defined within the adopted Maidstone Borough Wide Local Plan 2000 as a District and Local Centre.

## **2.0 PROPOSAL**

2.01 This submission seeks advertisement consent for the display of one externally illuminated fascia sign and 1 externally illuminated hanging sign. The application form notes that consent is requested for the standard period of 5 years.

2.02 The fascia sign will be comprised of exterior grade 19mm marine plywood timber and will extend across the width of the property. The sign will measure 11.3m in width and 0.6m in height. The background colour of the sign will be grey, specified as RAL7022. Above the entrance door to the property will be individual lettering in a cream colour (RAL9001) with the edging finished in what is described by the applicant as 'Costa Red'. The sign will also feature the wording 'EST.1971' at its western end in white lettering. The illumination of the sign will be external and will remain as existing.

2.03 The existing hanging sign bracket will be replaced with a new black stainless steel fixing bracket that will project from the building by 0.948m. The bracket will hold a round sign with a diameter of 0.632m. The sign itself will be comprised of timber of 38mm thickness and will have a background colour of 'Costa Red'. It will also feature the name Costa in white. The sign will be illuminated with a light trough either side of the sign and these will be incorporated within the bracket. The troughs will be finished in black and measure 632mmx100mmx100mm with internal white LED illumination of 200 candelas per metre square (cd/m<sup>2</sup>).

## **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF) – Paragraph 67  
National Planning Practice Guidance (NPPG) - Advertisements  
Maidstone Borough-Wide Local Plan 2000: ENV8  
Maidstone Borough Council Draft Local Plan: SP7; DM19

## **4.0 LOCAL REPRESENTATIONS**

4.01 A site notice was displayed at the site on 31/03/2016.

4.02 As a result of the consultation process, one letter of objection has been received from a resident who lives opposite the application site at no.26 High Street. The letter makes the following points:

- Signs of this sort have no place in a picturesque village High Street and I believe other less obtrusive signs have been refused on this ground in the past.
- Such signs are contrary to the aesthetic and architectural landscape and in the context are visually offensive.
- I live directly opposite the proposed coffee shop and illuminated signs will shine directly into both my living room and my bedroom, starting at 6.30am. This will cause intolerable nuisance amounting to, I believe, infringement of a protectable right on my part.

## 5.0 CONSULTATIONS

- 5.01 **MBC Conservation Officer:** The proposed signage is acceptable.
- 5.02 **KCC Highways and Transportation:** The proposed illuminated advertisement does not exceed the maximum luminance levels set out in the Institution of Lighting Engineers Technical Report 'Brightness of Illuminated Advertisements'. The proposed projecting sign is set back from the edge of the carriageway. For these reasons, I do not wish to raise objection on behalf of the local highway authority.
- 5.03 **Headcorn Parish Council:** The High Street is a conservation area and the signage proposed by this application is inappropriate in this location. It was noted that the level of lighting in the High Street is rural and not at Highway Standard. In hours of darkness the illuminated sign would be very prominent and have significant impact on the residential properties on the opposite side of the road. The Council therefore wish to see this application refused and referral to the planning committee is required.

## 6.0 BACKGROUND PAPERS AND PLANS

- 6.01 The proposals are detailed on drawing numbers:  
08.47/A.01 – Site Plan and Block Plan;  
08.47/A.02 – Existing Ground Floor;  
08.47/A.03 – Proposed Floor Plan;  
08.47/A.04 – Existing and Proposed Shop Front;  
Design and Access/Planning Statement.

## 7.0 APPRAISAL

- 7.01 The display of advertisements is subject to a separate consent process within the planning system and is set out within the Town and Country Planning Control of Advertisements Regulations 2007. The only matters for consideration in the control of advertisements are the effect upon amenity and public safety and as such, the process is noted as being 'lighter touch' than the system of obtaining planning permission for development.

- 7.02 The National Planning Policy Framework (NPPF) sets out the requirement for good design in all proposals. Specifically, paragraph 67 states that,

***'Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'***

- 7.03 In respect of the Maidstone Borough Wide Local Plan, policy ENV8 relates to signage for retail premises. Applications for new signage will be permitted provided that the set criteria are met. Of relevance to this application is:

- The size, design, positioning, materials, colour and method of illumination of signage is not detrimental to the character and appearance of the building or the surrounding area;

- In conservation areas, the proposals meet a high standard of traditional design appropriate for the area.
- 7.04 In the context of the above together with the criteria of the Town and Country Planning (Control of Advertisements) Regulations 2007, the key issues for consideration therefore are visual and residential amenity together with the implications for public safety.

### **Visual Amenity**

- 7.05 The High Street in Headcorn is designated as a conservation area and is also identified as a district and local centre in the Maidstone Borough Wide Local Plan 2000. There are a variety of commercial premises with associated signage, some of which is externally illuminated. The majority of the signage is traditional in appearance and it is notable that there are hanging signs above a number of premises. The application site in its present state features a fascia sign which is externally illuminated and there is also a bracket for a projecting sign at first floor level. In essence, the principle of allowing signage along the High Street would appear long established.
- 7.06 The proposed fascia sign and hanging sign will be comprised of timber and finished in colours that represent the corporate branding of Costa Coffee. The proposed illumination will be external, with the illumination of the fascia sign being unaltered from the existing. The proposed hanging sign will be externally illuminated by LED strips that will be directed onto the sign itself. The level of illumination is 200cd/m<sup>2</sup> and it is noted on the application form to be static.
- 7.07 In my opinion, the appearance and illumination of the proposed signs are appropriate to their setting. In view of the fact that there are similar examples along the High Street I believe that the signs are visually in keeping with their surroundings and will not appear incongruous. I am therefore satisfied that this proposal will not detract from the quality or character of the conservation area and that this submission meets the policy requirements set out previously.

### **Residential Amenity**

- 7.08 The consultation process attracted one letter of objection from a resident opposite the application site and this put forward the view that the proposed illumination will shine directly into habitable rooms causing intolerable nuisance. In addition, the Parish Council has raised concern that in the hours of darkness, the illuminated signs will have a significant impact upon residents opposite the site.
- 7.09 I have assessed the objections in terms of the distance between the application site and the residential properties opposite as well as the level and direction of the proposed means of illumination. There is at least 23m between no.27 High Street and no.26 High Street and the external illumination will be directed onto the signs themselves. The intensity of illumination is noted on the application form as being 200 cd/m<sup>2</sup> which in accordance with the recommendations of the British Lighting Engineers Technical Report 'Brightness of Illuminated Advertisements' is below the maximum level of 600 cd/m<sup>2</sup> recommended for rural or small village locations.
- 7.10 I am however mindful that it would be inappropriate for the signs to be illuminated at all hours and in the circumstances I recommend a condition that specifies that this can only occur during the opening hours of the premises. Furthermore, I also

recommend that a condition requiring the illumination to be of a static type is also imposed to safeguard the situation going forward.

### **Public Safety**

- 7.11 Of key importance to the assessment of advertisements and public safety are the observations of the local highway authority. In this case, KCC Highways and Transportation have raised no objections. The proposed level of illumination is relatively low and in addition, the type of illumination is noted to be static and therefore not a distraction for drivers.
- 7.12 Under the terms of advertisement consent, the applicant is obliged to maintain the signs in an appropriate condition such that they do not present a safety hazard and this obligation will be included in the conditions on the recommendation. In the circumstances, it is my opinion that this proposal does not raise any implications for public safety.

## **8.0 CONCLUSION**

- 8.01 In evaluating the issues in this case, the key criteria are amenity and public safety. As a conservation area, Headcorn High Street is of notable character that merits special protection. In my opinion, the proposed signage is reflective of other commercial premises in the locality and will therefore appear appropriate in this setting. Furthermore, I do not consider that the proposed level and means of illumination will result in a loss of residential amenities. In assessing this submission, I believe there are no resulting issues of public safety.
- 8.02 I have taken into consideration the consultation responses and other representations received in relation to the proposal, and assessed the application in respect of all material considerations. In balancing the issues that can be taken into account in this type of application, it is my opinion that this submission should be approved.

## **9.0 RECOMMENDATION – GRANT ADVERTISEMENT CONSENT – subject to the following conditions:**

### **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 advertisements 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 advertisements hereby permitted shall only be illuminated during the opening hours of the premises to which they relate and at no other times.

Reason: In the interests of residential amenity.

4. The advertisements hereby permitted shall only be statically illuminated.

Reason: In the interest of highway safety and residential amenity.

5. The advertisements hereby permitted shall be installed in accordance with drawing numbers 08.47/A.01 – Site Plan and Block Plan; 08.47/A.02; 08.47/A.03; 08.47/A.04 Design and Access/Planning Statement.

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

## INFORMATIVES

1. It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required, are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Case Officer: Georgina Quinn

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.