

<b>2.3 REFERENCE NO - 21/503136/ADV</b>		
<b>APPLICATION PROPOSAL</b> Advertisement consent for 1no. internally illuminated folded aluminium freestanding double sided 'Suzuki' totem sign, 2no. internally illuminated folded aluminium 'Suzuki Medway' fascia signs, 1no. non illuminated folded aluminium freestanding single sided 'Welcome' totem sign, and 2no. non illuminated free standing directional signs.		
<b>ADDRESS</b> Suzuki (Medway) Rainham London Road Rainham Gillingham Kent ME8 8PT		
<b>RECOMMENDATION</b> Split decision Part Approved Part Refused		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Parish Council objection.		
<b>WARD</b> Hartlip, Newington And Upchurch	<b>PARISH/TOWN COUNCIL</b> Upchurch	<b>APPLICANT</b> Suzuki G.B PLC <b>AGENT</b> Sign Specialists
<b>DECISION DUE DATE</b> 05/08/21	<b>PUBLICITY EXPIRY DATE</b> 23/07/21	

**Planning History**

SW/09/0339

Removal of condition 1 of planning permission SW/07/1507 to allow permanent change of use from restaurant to vehicle sales.

Grant of Conditional PP      Decision Date: 18.06.2009

SW/07/1507

Renewal of temporary planning permission ref SW/05/1333 for the change of use from restaurant to vehicle sales.

Grant of Conditional PP      Decision Date: 21.02.2008

SW/06/0384

Externally illuminated fascia sign, two externally illuminated totem signs and two flagpoles.

Part Permitted Part Refused      Decision Date: 26.07.2006

SW/05/1333

Temporary change of use from restaurant to car sales including erection of single storey rear extensions.

Grant of Conditional PP      Decision Date: 05.12.2005

Adjacent site:

15/503148/ADV

Advertisement - 4 No. internally illuminated fascia signs; 1 No. non-illuminated fascia sign; 1 No. internally-illuminated entrance gate sign; 1 No. internally illuminated free-standing sign; 1 No. internally illuminated pylon sign; 1 No. non-illuminated wall-fixed directional sign; 1 No. non-illuminated free-standing directional sign; 1 set of 3 flags on flag poles

SPLIT - Part Permitted Part Refused      Decision Date: 10.06.2015

Dismissed at appeal

SW/04/1044

Seven sets of internally illuminated letters, three internally illuminated griffin logos, one internally illuminated fascia sign, one non-illuminated totem sign, two non-illuminated directional signs, one internally illuminated 'Welcome' sign.

Granted Express Consent Decision Date: 08.11.2004

SW/06/0176

GRANTED - 1 internally illuminated fascia sign, 4 non-illuminated 'customer parking' signs, 1 non-illuminated 'test drive' sign and 1 non-illuminated 'entrance' panel. REFUSED - 1 internally illuminated totem sign.

Part Permitted Part Refused Decision Date: 06.04.2006

## **1. DESCRIPTION OF SITE**

1.1 The application site comprises of the Suzuki car sales forecourt and building, formerly a restaurant, which lies in the countryside, located just off the A2 at the Spade Lane junction and opposite the Oak Lane junction. The site has a large hardstanding area to the front used to display cars and a single storey building to the rear of the site which is used as a showroom and offices. There is another car sales to the west of the site for Hyundai.

## **2. PROPOSAL**

2.1 This application seeks advertisement consent for the erection of a number of signs for the car sales business. The signage will be located on the existing building or be freestanding and will front the highway. Upon visiting the site, it was clear that this application is now retrospective. It consists of 6 individual signs. The signs are as follows –

- Sign A - internally illuminated folded aluminium freestanding double sided 'Suzuki' totem sign measuring 1350(w) x 5000mm
- Sign B - internally illuminated folded aluminium 'Suzuki Medway' fascia measuring 22000(w) x 600mm
- Sign C - internally illuminated folded aluminium 'Suzuki Medway' fascia measuring 6400(w) x 600mm
- Sign D - non illuminated folded aluminium freestanding single sided 'Welcome' totem sign measuring 700(w) x 2000mm
- Sign E -non illuminated freestanding directional sign
- Sign F -non illuminated freestanding directional sign

## **3. PLANNING CONSTRAINTS**

3.1 Potential Archaeological Importance

## **4. POLICY AND CONSIDERATIONS**

4.1 The National Planning Policy Framework (NPPF) & National Planning Practice Guidance (NPPG)

4.2 Development Plan: Policies CP4, DM14 and DM15 of 'Bearing Fruits 2031: The Swale Borough Local Plan 2017'

4.3 Supplementary Planning Documents: 'The Design of Shopfronts, Signs & Advertisements'

## **5. LOCAL REPRESENTATIONS**

5.1 Upchurch Parish Council have no comments to make.

5.2 Hartlip Parish Council object to the application for the following reasons:

- Sign A (totem) is inappropriate in the rural location
- The three illuminated signs (A, E and F) will distract drivers at the Oak Lane junction, causing accidents
- Light pollution

5.3 No other local representations were received. A site notice was displayed and has since expired.

## **6. CONSULTATIONS**

6.1 KCC Highways has no objection subject to the inclusion of conditions relating to maximum illuminance levels.

6.2 The Council's Environmental Health Team has no objection.

## **7. BACKGROUND PAPERS AND PLANS**

7.1 Plans and documents submitted as part of application 21/503136/ADV.

## **8. APPRAISAL**

8.1 I am recommending that a 'split decision' be made. I consider the main issue for discussion to be the impact of the proposed signage on the character and appearance of the area and on the impact of highways safety. I am satisfied that the signage is sufficiently removed from neighbouring properties so will not have a detrimental impact on residential amenity.

8.2 The fascia signs are not objectionable in my opinion. Whilst the SPG discourages illuminated signs in the countryside, I give some weight to the presence of the A2 as a key distributor road and to the sporadic presence of established commercial built form along it, including the areas outside of built confines and in the countryside such as this site. The fascia signs are positioned on a single storey building that is set back from the highway and surrounded by a large forecourt area. In my opinion, these would not be prominent or impact in a particular harmful way on rural amenity or public safety. KCC Highways raises no objection regarding highway safety on the A2 or at the Oak Lane junction subject to illuminance conditions which I have included below. They have replaced existing fascias on the building and are of standard corporate colours, I therefore have no concern from a visual perspective.

8.3 Signs E and F are freestanding signs located immediately adjacent to the highway but are limited in height and are not illuminated, I therefore have no concerns regarding their visual impact. Sign D is a totem but only measures 2m in height and is set back from the highway close to the main building. This sign is not excessively prominent and again is non-illuminated.

8.4 Sign A is however extremely large at 5 metres in height, in a conspicuous location and illuminated, which in combination would result in harm to visual amenity in this rural area. I consider it is visually intrusive when approaching from either direction along the A2, severely detrimental to the visual amenities of the area. Previous photos of the site show a sign of similar height in situ however this was non illuminated, and I can find no application granting this sign consent. Indeed, I note that an illuminated totem of a similar scale was refused at the site under application reference SW/06/0384.

8.5 Further to the above I note that the Council refused and then won on appeal for the refusal of a totem sign at the Hyundai site to the east of the application site under reference 15/503148/ADV. The Inspector agreed with our assessment that the totem sign would have a dominant adverse effect on the open character and appearance of the surrounding countryside. It should be noted that when carrying out my site visit it was clear that the totem sign subject of this refusal had been installed however I have passed the matter over to the enforcement team for their investigation and this does not set a precedent as it does not have consent. In summary I consider that the illuminated totem sign is contrary to policy and harmful to the character and appearance of the area in this rural location.

## 9. CONCLUSION

9.1 I recommend approval of signs B, C, D, E and F as it is not considered that these cause harm to visual amenities or have an adverse impact on highways safety. Sign A is in a prominent location and this combined with its large scale means that it has a dominant adverse effect on the open character and appearance of the surrounding countryside and I therefore recommend refusal of this sign. As such I recommend that a split decision be issued for the signage.

9.2 I would also seek delegated powers for enforcement action to be taken to remove the totum sign.

## 10. RECOMMENDATION – Split decision

a) **GRANT** consent for the following signs:

2no. internally illuminated folded aluminium 'Suzuki Medway' fascia signs, 1no. non illuminated folded aluminium freestanding single sided 'Welcome' totem sign, and 2no. non illuminated free standing directional signs.(Signs B,C,D,E and F)

Subject to the following conditions:

(1) 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.

Reason: In accordance with the provisions of Regulation 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007

(2) 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.

Reason: In accordance with the provisions of Regulation 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

(3) 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.

Reason: In accordance with the provisions of Regulation 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

- (4) 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.

Reason: In accordance with the provisions of Regulation 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

- (5) 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 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

- (6) The illumination of any sign hereby permitted shall not be of a flashing type.

Reason: In the interest of the highway safety and the amenities of the area.

- (7) The maximum value of luminance must not exceed the maximum permitted values for the relevant zone given in the Institution of Lighting Professionals 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements'. The zones and their corresponding maximum level of luminance are detailed below:

Size of Advert/Sign - Up to 10m<sup>2</sup>:

- \* Zone E0 (Protected; dark) - 0 cdm<sup>-2</sup>
- \* Zone E1 (Natural; intrinsically dark) – 100 cdm<sup>-2</sup>
- \* Zone E2 (Rural; low district brightness) – 400 cdm<sup>-2</sup>
- \* Zone E3 (Suburban; Medium district brightness) – 600 cdm<sup>-2</sup>
- \* Zone E4 (Urban; High district brightness) – 600 cdm<sup>-2</sup>

Size of Advert/Sign - Over 10m<sup>2</sup>:

- \* Zone E0 (Protected; dark) - 0 cdm<sup>-2</sup>
- \* Zone E1 (Natural; intrinsically dark) – n/a
- \* Zone E2 (Rural; low district brightness) – 200 cdm<sup>-2</sup>
- \* Zone E3 (Suburban; Medium district brightness) – 300 cdm<sup>-2</sup>
- \* Zone E4 (Urban; High district brightness) – 300 cdm<sup>-2</sup>

All measurements are in Candelas per metre squared

Reason: In the interest of the highway safety and the amenities of the area.

**b) REFUSE** consent for the following sign:

1no. internally illuminated folded aluminium freestanding double sided 'Suzuki' totem sign (sign A)

For the following reason:

- (1) The proposed totem sign would, by virtue of its location, means of illumination and prominence, have a dominant adverse effect on the open character and appearance of the surrounding countryside. The proposed sign would be contrary to Policies DM14 and DM15 of the Swale Borough Local Plan, and to paragraphs 3.0 and 4.1 and 4.3 of the Council's adopted Supplementary Planning Guidance entitled 'The Design of

Shopfronts, Signs and Advertisements', which seek, amongst other things, to restrict intrusive and prominent signage outside built up areas.

**c) That delegated authority is granted to officers to take enforcement action** to remove the totem sign from the site.

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

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

