

2.6 REFERENCE NO - 14/506753/ADV			
APPLICATION PROPOSAL Advertisement 1 x internally illuminated built up wall logo 1 x internally illuminated double sided pictorial logo			
ADDRESS The Jenny Wren Public House Quartz Way Sittingbourne Kent ME10 5AB			
RECOMMENDATION – GRANT subject to conditions			
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL Proposal would not give rise to harm to residential or visual amenity, nor to highway safety.			
REASON FOR REFERRAL TO COMMITTEE Recommendation contrary to Parish Council view			
WARD Grove Ward	PARISH/TOWN Bobbing	COUNCIL	APPLICANT Marston's Plv AGENT Sign Specialists Ltd
DECISION DUE DATE 16/02/15	PUBLICITY EXPIRY DATE 09/02/15	OFFICER SITE VISIT DATE 19/01/2015	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/09/0306	Erection of public house/restaurant and associated works.	Approved	17.08.2009
SW/09/0736	Signs A, B, C (externally illuminated individual wall mounted letters) D, E (externally illuminated fascia sign), F, (non illuminated fascia sign) G, (projecting hanging sign) H and J (freestanding externally illuminated signs)	Approved	09.09.2009

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The Jenny Wren is a pub / restaurant located on the recently built Meads housing development.
- 1.02 The pub / restaurant is bounded by Quartz Way to the north and the B2006 to the south. To the west is car parking and flats and to the east is open space where the Meads Community Centre is proposed (14/505771/FULL).
- 1.03 The Jenny Wren is set back from the B2006 and the site incorporates a car park and a play area.

2.0 PROPOSAL

- 2.01 This application seeks advertisement consent for 2 adverts which are already in situ as follows:

- Sign A, located upon the fascia of the existing building, facing the B2006. This sign has red acrylic face with black aluminium detail. The materials are aluminium and acrylic with internally illuminated red LED. The sign measures 2.1m x 2m and is 3m from ground level.

- Sign B, located on top of a free standing sign, located 2m from the southern boundary of the site. This sign is double sided with red acrylic face and black aluminium detail. The materials will be aluminium and acrylic and will be internally illuminated with red LED and will measure 0.95m x .9m. The underside of the sign will be 5.4m from ground level.

3.0 PLANNING CONSTRAINTS

None Relevant

4.0 POLICY AND OTHER CONSIDERATIONS

Adopted SPG entitled "The Design of Shopfronts, Signs & Advertisements", was adopted by the Council in 1993 after a period of consultation with the public, local and national consultees, and is specifically referred to in the supporting text for saved Policy E23 of the Local Plan. It therefore remains a material consideration to be afforded substantial weight in the decision making process.

Swale Borough Local Plan 2008 policies E1 (general development criteria), and E23 (New Shopfronts, Signs and Advertisements) are relevant here.

5.0 LOCAL REPRESENTATIONS

5.01 One neighbour commented on the application questioning why the application was submitted after the signs had been erected.

6.0 CONSULTATIONS

6.01 Bobbing Parish Council *"objects to the roadside illuminated sign and feels that this will be additional light pollution and is not necessary; the one on the building, which is in very close proximity, is sufficient and can be clearly seen from the highway."*

The Parish Council objects to the signs being illuminated 24 hours; they should only be lit during business hours."

6.02 Kent Highway Services (KHS) – "The illuminated signs are not considered likely to cause a distraction to highway users." Three conditions have been recommended.

7.0 BACKGROUND PAPERS AND PLANS

7.01 Application papers and drawings referring to the application reference 14/506753/ADV.

8.0 APPRAISAL

Applications for advertisement consent can only be considered in the context of their impact on amenity and highway safety.

Impact on amenity

8.01 The sign attached to the existing building (Sign A) faces directly towards the B2006, whilst the sign located on top of an existing free standing sign (Sign B) faces east to west, making

it easily readable to highway users, travelling in either direction along the B2006. Any possible impacts upon highway safety and amenity are dealt with below.

- 8.02 Sign A, facing towards the road would not be visible to any properties on the Meads Housing Development. The nearest properties that face this sign would be those located on the Grove Park Housing Estate, comfortably in excess of 200m away and therefore I take the view that residential amenities would not be unacceptably impacted upon. Furthermore the sign sits comfortably upon the fascia of the existing building and I consider that the advert does not create a dominance of adverts on this elevation of the building. Therefore I believe that Sign A would not impact unacceptably upon visual amenities.
- 8.03 Sign B, sits upon a freestanding sign granted under SW/09/0736. This sign measures less than half that of Sign A and is located on the site boundary close to the verge of the adjacent highway. The nearest properties with lines of sight to this sign are the flats located in Helidor Walk. However, these properties are located approximately 100m away from the sign. Therefore, with the level of illuminance controlled by a condition which has been included I do not consider that this sign would have an unacceptable impact upon residential amenities. In terms of the impact upon visual amenities, the sign is of an acceptable scale and sits comfortably in this location in relation to the existing signs. As such I do not consider that Sign B would give to unacceptable impact to visual amenities.

Impact on highway safety

- 8.04 Both signs are visible from the B2006 and as a result of this I consulted with Kent Highway Services(KHS). The response received was that the illuminated signs are not likely to cause a distraction to highway users, subject to conditions relating to the levels of illuminance of the signs. In light of the response from KHS and that they do not raise an objection I have no serious concerns in regard to the potential impact of the proposed signage upon highway safety. The conditions that they suggested have been included.

Other Matters

- 8.05 I note the objection received from the Parish Council and have responded to the majority of the points raised above. However, of those that remain, I do not consider that 24 hour illumination of the sign would give rise to unacceptable levels of light pollution in the area, bearing in mind the restriction on levels of luminance as covered by the relevant condition.
- 8.06 A comment has been received from a neighbour relating to the application being submitted retrospectively. In this case I consider that judged on its merits the application is acceptable and as such this point requires no further elaboration.

9.0 CONCLUSION

- 9.01 In overall terms I take the view that the adverts which are already in situ have little impact upon residential amenity due to the distance to the closest residential units. Furthermore, the signs sit comfortably upon the existing building and upon the freestanding sign and as a result do not impact unacceptably upon visual amenities. Finally, KHS have not raised an objection and as such I consider that highway safety and amenity will not be prejudiced. They have recommended three conditions which I have included alongside the standard advert conditions. As such, I recommend that advertisement consent be granted.

10.0 RECOMMENDATION – GRANT 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.

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.
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.
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.
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.

Reasons: 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 the signs hereby permitted shall not be of a flashing type.

Reasons: In the interests of highway safety and convenience.
7. The source of illumination for the proposed signs shall not be visible to the users of the highway.

Reasons: In the interests of highway safety and convenience.
8. The maximum luminance not to exceed the values given in the Institution of Lighting Engineers Technical Report Number 5 'Brightness of Illuminated Advertisements'.

Reasons: In the interests of highway safety and convenience.

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 changes as is necessary to ensure accuracy and enforceability.;