

Planning and Transportation Policy Working Group Meeting	
Meeting Date	18 th December 2025
Report Title	Designating Area of Special Control of Advertisements (ASCA)
EMT Lead	Emma Wiggins - Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson – Head of Place
Lead Officer	Jhilmil Kishore – Principal Heritage Officer
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To note the content of the consultation document relating to the proposed designation of an Area of Special Control of Advertisements (ASCA). 2. To recommend to the Policy and Resources Committee that the ASCA consultation document is agreed as fit for purpose to undertake public consultation and progress the designation process.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to make the Planning and Transportation Policy Working Group (PTPWG) aware of proposed public consultation for designating a targeted Area of Special Control of Advertisements (ASCA) within Conservation Areas with a commercial centre.
- 1.2 The proposals include a draft consultation document in line with current good practice. Officers recommend that PTPWG approve the consultation document set out in Appendix I and recommend the proposed public consultation based on the presented consultation document to Policy and Resources Committee.

2 Background

- 2.1 Swale Borough Council currently does not have an ASCA. Since the adoption of the Heritage Strategy in 2020 and subsequent Action Plans whereby a number of Conservation Areas have been reviewed, it has been proposed that in order to better manage and maintain Swale's historic environment and heritage, a targeted ASCA can prove beneficial for Conservation Areas with a commercial centre. Any designation needs to be based on public consultation and must follow specific legal steps, including consideration of the order by the Secretary of State. Following an all members briefing in May 2024, it was agreed that a draft consultation document be prepared for approval by the PTPWG and Policy and Resources Committee, before undertaking public consultation.

2.2 The Advertisement Regulations set out rules for the display of advertisements and place limits on the kind of advertisements which require formal permission from a Local Planning Authority. The Planning Acts enable a Local Planning Authority to designate an Area of Special Control of Advertisements (ASCA) where there are stricter controls on the type, size and height of advertisements. The legislation requires that an ASCA should only be designated where there is a need for special protection due to scenic, historic, architectural or cultural features; it should be reviewed every five years.

2.3 The proposal is to designate a targeted Area of Special Control of Advertisements (ASCA) that provides additional protection to High Streets within the existing Conservation Areas. It will be a matter for the Policy and Resources Committee to decide whether the consultation document as presented in Appendix I is fit for purpose, but the PTPWG is requested to provide feedback as part of the process of reaching a decision.

2.4 The ASCA is proposed to be designated in the following Conservation Areas:

- a. Cellar Hill & Greenstreet
- b. Faversham Town
- c. Milton Regis
- d. Newington High Street
- e. Queenborough
- f. Sheerness Mile Town
- g. Sheerness Royal Naval Dockyard and Bluetown, and
- h. Sittingbourne

Out of the above mentioned 8 Conservation Areas, apart from Faversham Town and Queenborough the remaining 6 are on Historic England's Heritage at Risk register primarily because the historic significance of their high streets is vulnerable and deteriorating. Designating an ASCA in these Conservation Areas, would facilitate better management of their shopfronts and the historic significance of their high streets.

2.5 Designation of an ASCA allows greater control over the following:

- size of lettering/symbols on advertisements (0.3m maximum)
- the height of advertisements on facades (3.6m above ground level)
- the proportion of a frontage given over to advertisements (10% maximum)
- advertisements with internal or 'halo' illumination
- advertisements on hoardings around construction sites
- advertisements on telephone kiosks
- advertisements on captive balloons
- advertisements on flags

2.6 However, within a Conservation Area, advertisement types 4-8 listed above are already controlled and are not 'deemed consent': advertisement consent is required. Additional controls on lettering size, advertisement height above ground level and façade proportion (requiring consent for Nos 1-3 above) would additionally address the issue of badly proportioned glazing and fascia and help manage/maintain traditional shopfront scale and proportions.

3 Proposals

3.1 The recommendations are that members:

- Note the content of the consultation document relating to the proposed designation of an Area of Special Control of Advertisements (ASCA).
- Recommend to the Policy and Resources Committee that the ASCA consultation document is agreed as fit for purpose to undertake public consultation and progress the designation process.⁴

4 Alternative Options Considered and Rejected

- 4.1 One option would be to not take the designating ASCA project any further. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the Conservation Area and its wider setting moving forward. It would also go against recommendations within the adopted Heritage Strategy.
- 4.2 A second possible option would be to suspend the work on this designation until some point in the future. Whilst this option would reduce expended officer time, it could still lead to (a) the continued deterioration of the High Streets within Conservation Areas, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Conservation Areas with a commercial centre within the Borough.
- 4.3 Other options related to alternative boundaries/Conservation Areas/ National Landscapes and borough wide are detailed in the consultation document attached as Appendix I. The proposed extent and boundaries are consideration an appropriate reflection of need and resource.

5 Consultation Undertaken or Proposed

5.1 An eight -week public consultation is proposed to run in the summer of 2026.

5.2 The National Planning Guidance recommends that local trade and amenity organisations are consulted before an ASCA is made and submitted to the Secretary of State for consideration. The Council has a 'Statement of Community Involvement' (SCI) to guide consultation on planning matters.

This covers:

- Planning Policy documents (including the Local Plan and other Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and other guidance)
- Neighbourhood Plans
- Planning Applications

Whilst the designation of ASCA is not specifically included in the SCI, the principles set out for consulting on other documents will guide the review.

A press notice to advertise the consultation is also required together with specific notifications to Parish & Town Councils, Councillors, and specific groups with an interest in the document. In this case these groups would include local amenity groups and the Campaign for the Protection of Rural England (CPRE), the local Chamber of Commerce and the Advertising Association.

5.3 Hard copies of the consultation document will be made available at relevant local libraries and the document will also be available to view/download on-line via the Council's website for the duration of the public consultation period.

6 Implications

Issue	Implications
Corporate Plan	The proposed designation of an Area of Special Control of Advertisements would support the Economy priority from the Corporate Plan: <i>'To develop the borough's second Heritage Action Plan that reflects in-house and partnership capacity, to support and promote our outstanding assets.'</i>
Financial, Resource and Property	<p>Managing envisaged increase in advertisement consent applications due to ASCA designation, may have financial and resource implications for the council. The council can manage increased workload by combining process efficiencies, strategic staffing, improved applicant guidance, recovery of discretionary costs, and data-driven monitoring. Good communication and digitisation will significantly reduce the long-term resource burden.</p> <p>The current process of designating ASCA is being managed by the Heritage Officer using in-house resources with no additional funding.</p>
Legal, Statutory and Procurement	<p>Regulation 20(1) requires that every local planning authority shall from time to time consider whether any part or additional part of its area should be designated as an area of special control. Regulation 20(2) states that an area of special control shall be designated by an area of special control Order made by the local planning authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5 of the Regulations.</p> <p>Para 141 of the NPPF states, <i>'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which</i></p>

	<p><i>is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'</i></p> <p>The Town and Country Planning Act 1990 (Section 221(3)) sets out two criteria for the designation of an ASCA: that it is a rural area; or an area which appears to the Secretary of State to require special protection on grounds of amenity.</p> <p>The Town and Country Planning (Control of Advertisement) (England) Regulations set out the legal provisions relating to the review of ASCA's.</p> <p>Section 20 of the Regulations requires LPAs to review an ASCA at least every five years to see if it should be revoked or modified.</p> <p>Schedule 5 of the Regulations sets out the legal procedures for designating or modifying an ASCA.</p>
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	<p>One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment.</p> <p>Designating an ASCA is envisaged as a beneficial tool to better manage deteriorating historic significance of the Conservation Areas with a commercial centre (High Street) and further facilitate removal of a number of these Conservation Areas from Historic England's Heritage at Risk Register.</p>
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this designating work.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Draft public consultation document for Designating Area of Special Control of Advertisements (ASCA)

8 Background Papers

[A Heritage Strategy for Swale 2020-2032](#)