

2.5 REFERENCE NO - 16/500488/ADV			
APPLICATION PROPOSAL			
Advertisement Consent for 2 non-illuminated fascia signs attached to each side of the site boundary and 1 non-illuminated triangular freestanding sign (Retrospective).			
ADDRESS FCS Trade Sales Horsham Lane Upchurch Kent ME9 7AL			
RECOMMENDATION Split Decision			
SUMMARY OF REASONS FOR RECOMMENDATION			
The freestanding sign at the site entrance and fascia sign on the right hand side of the gate are considered to be of an appropriate scale and would not give rise to significant harm to visual amenities, highway safety or amenity. However, the fascia sign on the left hand side of the gates, by virtue of its scale would represent a prominent and intrusive feature giving rise to unacceptable harm to visual amenities and the countryside and would amount to an over proliferation of advertisements for the premises.			
REASON FOR REFERRAL TO COMMITTEE			
The signs that are recommended for approval is a view opposite to Parish Council comments			
WARD Hartlip, Newington & Upchurch	PARISH/TOWN Upchurch	COUNCIL	APPLICANT FCS Trade Sales AGENT
DECISION DUE DATE 18/05/16	PUBLICITY EXPIRY DATE 22/04/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/13/0152	Change of use from B1 to car sales & showroom	Approved	12.04.2013

1.0 DESCRIPTION OF SITE

- 1.01 The use of the site, as approved under SW/13/0152 is for car sales and showroom and the site is currently operating on this basis with a number of cars visible at the premises.
- 1.02 The site is accessed from Horsham Lane towards the bottom of a hill and on a bend in the road. Horsham Lodge, a residential property lies to the east of the site, with Horsham Lakes located further to the northeast of the site and open countryside to the north.
- 1.03 The site is bounded by a row of tall (approximately 6m) leylandi trees to the east and west boundaries. The gated entrance of the site sits at approximately 45 degrees to Horsham Lane. There is an existing porta-cabin style building on the site which is used as an office.

2.0 PROPOSAL

- 2.01 This application seeks advertisement consent (retrospective) for the following:
 - Free standing sign located close to the highway measuring 2800mm in height from the base of the timber posts. The two sides of the sign measure 1150mm in width. The largest letter is 26cm and the letters are pink and white on a black background. The sign is non-illuminated;

- 1 x fascia sign on the right hand side of the gate comprised of three sections reducing in scale from top to bottom and measuring 2750mm x 610mm; 1370mm x 610mm and 920mm x 1210mm respectively. The base of this sign is 570mm above ground level. The largest letter measures 26cm in height and the letters are pink on a black background. The sign is non illuminated;
- 1 x fascia sign on the left hand side of the entrance gate measuring 13180mm x 610mm. The base of this sign is 2390mm from ground level. The largest letter will be 26cm in height and the letters are pink on a black background. The sign is non illuminated.

3.0 PLANNING CONSTRAINTS

3.01 None Relevant

4.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)

- 4.01 The NPPF was released on 27th March 2012 with immediate effect, however, para 214 states *“that for 12 months from this publication date, decision-makers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.”*
- 4.02 The 12 month period noted above has now expired, as such, it is necessary for a review of the consistency between the policies contained within the Swale Borough Local Plan 2008 and the NPPF.
- 4.03 This has been carried out in the form of a report agreed by the Local Development Framework Panel on 12 December 2012. Policies E1, E6, E19 and E23 are considered to accord with the NPPF for the purposes of determining this application and as such, these policies can still be afforded significant weight in the decision-making process.
- 4.04 The NPPF at paragraph 67 states that *“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.”*

National Planning Practice Guidance (NPPG)

- 4.05 The NPPG also provides general guidance in relation to advertisements. It reiterates the requirement of the Local Planning Authorities to assess the impact upon amenity in relation to the local characteristics.

Swale Borough Local Plan 2008

- 4.06 E1, E6, E19 and E23

Supplementary Planning Documents:

- 4.07 The Design of Shopfronts, Signs and Advertisements

5.0 LOCAL REPRESENTATIONS

5.01 One letter of objection which raises the following summarised concerns:

- The signs by virtue of their colour are garish;
- There are too many signs;
- The signs are out of keeping with the rural setting.

6.0 CONSULTATIONS

6.01 **Upchurch Parish Council** *“strongly object to this advertisement application as the style and colour of these signs is not in keeping with the rural area. There have also been questions raised as to whether the company are only trading online as this does not appear to be the case.”*

6.02 **KCC Highways and Transportation** *“confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-*

The proposed sign to have a minimum clearance of 2.6 metres above the footway/cycleway and not project within 0.6 metres of the carriageway edge.

The illumination of any sign which is visible from the carriageway not to be of a flashing type

The maximum luminance not to exceed the values given in the Institution of Lighting Engineers Technical Report Number 5 ‘Brightness of Illuminated Advertisements’.

7.0 BACKGROUND PAPERS AND PLANS

7.01 Application papers and correspondence relating to planning reference 16/500488/ADV.

8.0 APPRAISAL

8.01 The main considerations in this case concern the impact that the advertisements would have upon visual amenities and the character of the countryside and highway safety and amenity.

8.02 I firstly take into account that due to the approved use of the site (car sales & showroom as approved under SW/13/0152) it would be expected that some level of signage would be present, at least in order to notify passers by of the presence of the business. Furthermore, I also note that due to the heavy screening on the eastern boundary the site is quickly upon drivers / passengers of vehicles when travelling from the east.

8.03 As such, I take the view that the freestanding sign is appropriately placed to inform visitors or passers by of the location of the business. Furthermore, I am of the view that this particular sign, is not of a significantly large scale as to have an unacceptable impact upon visual amenities or the character of the wider countryside. In overall terms I am of the opinion that this sign is acceptable.

- 8.04 In relation to the fascia sign on the right hand side of the gate I note that this is located some 25m away from the highway and a similar distance away from the free standing sign by the entrance. As such, due to this degree of separation between these signs and their limited scale I do not consider that this fascia sign, along with the sign located by the entrance constitute dominant or significantly harmful additions in this location. Furthermore, due to the screening on either side of the site, this sign is only visible from a limited number of public vantage points. Due to this assessment I take the view that this fascia sign is acceptable.
- 8.05 However, the application also proposes a third sign which is in excess of 13m in length and located to the left hand side of the gates. I also note that this sign repeats the information included on the other two signs. As such, I take the view that due to its scale and location within close proximity to the other fascia sign that this additional sign is unnecessary, would lead to an over proliferation of advertisements and by virtue of this would cause harm to visual amenities and to the countryside.
- 8.06 I note the comments in the objection letter received and believe that the above assessment deals with the issues raised. However, in terms of the colour I believe that if only two of the signs are to remain as per the recommendation then I am of the opinion that they would not be dominant especially considering their separation and limited scale. In regards to the Parish Council comment regarding the trading of the company, it is noted that the operators have permission for the use and therefore I do not consider that this point requires any further consideration.
- 8.07 Kent Highways & Transportation raise no objection to the application subject to conditions as set out above. However, the sign is already in situ, more than 0.6m away from the carriageway and as the sign is freestanding the minimum clearance is not relevant. Further to this the signs are not illuminated and therefore the conditions relating to lighting is also not relevant.
- 8.08 There are a limited number of residential properties within the surrounding area however, due to the location of the application site in relation to these dwellings, the screening of the site and that the signs are non illuminated I do not consider these signs would give rise to significant harm to neighboring amenities.

9.00 CONCLUSION

- 9.01 Overall I consider that the freestanding sign at the site entrance and the fascia sign on the right hand side of the gate (labelled as sign 1 on the block plan) are of an appropriate scale and siting as to not cause harm to visual amenities or the countryside. I also consider that highway safety and amenity would be protected. However, the larger fascia sign on the left hand side of the gate (labelled as sign 2 on the block plan) would be unnecessary and constitute an over proliferation of advertisements. In my view this sign would result in significant harm to visual amenities and the countryside and I believe it to be unacceptable.

10.0 RECOMMENDATION – Split decision:

GRANT CONSENT for the following signs;

1 x free standing sign located at the entrance to the site (annotated as triangle on the submitted block plan) and 1 x fascia sign located to the right hand side of the gates (annotated as 'sign 1' on the block plan)

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

REFUSE CONSENT for the following sign:

1 x fascia sign on the left hand side of the gate (annotated as 'sign 2' on the block plan)

For the following reason:

1. The proposed fascia sign by virtue of its scale and siting would represent an unnecessary and prominent feature to the area and would amount to an over proliferation of advertisements at the premises, giving rise to a cluttered appearance, significantly harmful to the visual amenities of the area and the character of the surrounding countryside. The advertisement would therefore be contrary to policies E1, E6, E19 and E23 of the Swale Borough Local Plan 2008 and to the advice of the Council's adopted Supplementary Planning Guidance entitled "The Design of Shopfronts, Signs and Advertisements."

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.