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<b>Trottscliffe Downs</b>	<b>564130 159900</b>	<b>11.01.2006</b>	<b>TM/06/00092/AT</b>
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Proposal:	Erection of 1 no. timber post-mounted sign; 2 no. timber signs attached to gate post; and 1 no. temporary (November to December) banner sign
Location:	Walnut Tree Farm Addington Lane Trottscliffe West Malling Kent ME19 5DW
Applicant:	Mr Trevor Venis

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## **1. Description:**

1.1 The application is retrospective as the permanent signs are currently being displayed. The advertisement that is referred to as "sign i", which is displayed outside the existing main entrance to Walnut Tree Farm, on the green, measures 1m x 0.8m. It is mounted upon timber posts and stands approx. 1.4m above ground level. The advertisements known as "sign ii" measure 1.6m x 0.9m and are located on each side of the second entrance to Walnut Tree Farm, on Addington Lane. They are fixed to the gate posts against the hedge line in the mouth of the entrance. The proposed temporary banner (sign iii) measures 2.44m x 0.61m and would be displayed on the low level fence fronting onto the green next to sign i.

## **2. The Site:**

2.1 The site is located within the settlement confines of Trottscliffe, on the south side of Addington Lane. The site lies within the Trottscliffe Conservation Area (CA), Area of Outstanding Natural Beauty (AONB) and Special Landscape Area (SLA).

## **3. Planning History:**

3.1 None relevant to this application.

## **4. Consultees:**

4.1 PC: The PC points out that this is a Conservation Area and the signs are intrusive, particularly the timber mounted sign and the temporary banner facing the village green. The Parish Council would not object to the signs attached to the gateposts in Addington Lane.

4.2 Kent Highways: I raise no objection to the signs.

4.3 Private Reps: 10/0X/0S/0R

## **5. Determining Issues:**

5.1 Being an application for Advertisement Consent, the determining issues are the impact of the advertisements upon amenity and public safety.

- 5.2 Turning first to the issue of public safety, the advertisements are situated at ground level but are not located on the public highway. As such they do not impede vehicular movement along the road and do not present a hazard to pedestrians. Furthermore, the advertisements do not obscure or hinder the interpretation of road traffic signage and Kent Highways has not objected to this application. I therefore consider that the advertisements would not cause any detriment to public safety.
- 5.3 With regard to the issue of amenity, account must be taken of the general characteristic of the locality. The advertisements known as “sign ii” are situated outside the Trottiscliffe Conservation Area, abutting the hedge line that defines the edge of the driveway to Walnut Tree Farm. The advertisements stand parallel to the hedge line and face across the access, rather than directly fronting the road. In this location they are quite discreet and are only readily visible from public vantage points at close range. They have very little impact in the wider locality and as such do not, in my opinion, cause any detriment to the natural beauty of the AONB and SLA. As such, I consider that these advertisements do not cause detriment to amenity.
- 5.4 Advertisements (i) and (iii) are located within the Trottiscliffe Conservation Area, where proposals must not fail to preserve or enhance the character and appearance of the CA. In this instance, advertisements (i) and (iii) are located in what can be described as the heart of the village facing the green, in a visually prominent location. Advertisement (i) stands taller than the fence behind it, which serves only to emphasise its visually prominence. There are no other similar structures in the immediate vicinity to this advertisement. As such, this particular advertisement does, in my opinion, look incongruous due to its size and location, and as such, detracts from the character and appearance of the CA. Similarly, the proposed temporary banner sign, would by virtue of its size and position, be an unusual feature in the streetscape that would cause detriment to the character of the locality. Whilst this would be for a short period of time each year (2 months), it would still, nonetheless, detract from the amenity of the locality whilst it is being displayed.
- 5.5 It should, perhaps, be noted at this time that current Government advice contained within PPS 7 (Sustainable Development in Rural Areas) recognises the important varied roles of agriculture and states that planning system should support proposals that will enable farmers to *inter alia* adapt to new and changing markets, diversify into new agricultural opportunities and broaden their operations. Whilst the signage helps to promote the agricultural business (free range meat poultry and egg production) operating within Walnut Tree Farm, this should not be at the expense of the amenity of the local environment. It may be possible for a smaller advertisement to be displayed in place of sign i that would help to promote the farm business without causing harm to the amenity of the locality.

5.6 In light of the above, I would recommend that a split decision be issued that approves the advertisements referred to as “sign ii” in the application, but to refuse consent for the other two. As advertisement known as “sign i” already exists, in light of the harm that it causes to the amenity of the locality, I would also recommend that prosecution proceedings be instigated if the applicant is unwilling to remove it or negotiate a replacement for it.

**6. Recommendation:**

6.1 **GRANT CONSENT** for advertisements referred to as “sign ii” as detailed in plans date stamped 11.01.06, subject to the following conditions:

1 This consent shall expire at the end of a period of five years from the date of consent.

Reason: In pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

2 Any advertisements displayed, and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

Reason: In pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: In pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

4 No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: In pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

5 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 pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 Where any advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

Reason: In pursuance of Regulation 13 of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6.2 **Refuse Consent** for the advertisements referred to in the application as “sign i” and sign iii” as detailed in plans date stamped 11.01.06, for the following reason:

1. The advertisements referred to as “Sign i” and “Sign iii” in the application would, by virtue of their size and prominent position within the Trottiscliffe Conservation Area, be detrimental to the visual amenities of the locality.

6.3 In respect of the advertisement known as "sign i", the applicant be invited to take action within 1 calendar month of the date of notification of this decision either to:

- remove the advertisement, or;
- enter discussions with the Borough Council regarding a replacement for this advertisement.

6.4 On and after 1 month from the date of notification of this decision to the applicant, and subject to the Chief Solicitor being satisfied that it is a proper course of action, and as to the evidence, he be authorised to **COMMENCE A PROSECUTION** against any responsible party or parties under Section 224 of the Town and Country Planning Act 1990 (as amended) and the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) in respect of the advertisement referred to as “Sign i”.

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