

Ditton
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571703 158236 22 July 2009

TM/09/01733/AT

Proposal: 4x freestanding, non-illuminated advertisements
Location: 429 - 431 London Road Ditton Aylesford Kent ME20 6DB
Applicant: Mr John Wright

1. Description:

- 1.1 Advertisement consent is sought for the erection of four, free-standing, non-illuminated, single sided signs, which have been moved from elsewhere on the application site.
- 1.2 The proposed signs are 1.22m x 1.22m, with a height above ground level of 1m.
- 1.3 The signs are of two designs; Signs A & C are the same design and Signs B & D are the same design, to advertise the use of the premises. The proposed signs are predominantly yellow in colour with text in black and red.

2. Reason for reporting to Committee:

- 2.1 This application is being reported to Committee in light of the level of public interest.

3. The Site:

- 3.1 The application site lies within the urban confines of Ditton, with Holtwood Conservation Area situated to the east of the site.
- 3.2 The site lies on the southern side of London Road and is set significantly back from the highway. The commercial premises is predominantly surrounded by residential properties.
- 3.3 No. 429 is a dwellinghouse, whilst No.431 is Pinions pet shop. The shop is a two storey building, with a single storey rear element.
- 3.4 To the front of the shop building lies an open display/sales area permitted under the original planning permission.

4. Planning History:

TM/07/00842/AT Split Decision 11 July 2007

Display of non-illuminated signs: A) Signs 2, 4, 6, 6, 7 and 8

Display of non-illuminated signs: B) Signs 1 and 3

TM/07/01375/OA Refuse

24 July 2007

Outline Application for the erection of 2 no. detached 3/4 bedroom houses with integral garage.

TM/08/03276/OA Refuse

23 December 2008

Three bedroom bungalow.

TM/09/00452/FL Pending Consideration

Erection of 6m high light column with luminaire.

5. Consultees:

5.1 PC: No objections raised.

5.2 KCC Highways: No objections raised.

5.3 Private Reps: 4 letters of objection received, raising the following points:

- The shop is already an eyesore.
- Restriction of views from neighbouring residential properties.
- Possible road safety implications.
- Sign A is located too close to neighbouring residential properties and includes pruning of a tree which currently separates the properties.
- Sign D is too close to the site entrance.
- The advertisements are beyond what is reasonable in a residential location.
- There is a large sign on the building currently which should be adequate.
- The 4 signs were not all previously located within the site.
- Advertisements should be restricted to the shop frontage and not be located outside no. 429, which is a residential property.

6. Determining Issues:

- 6.1 The main issues to be considered are whether the proposed signs harm the amenities of the locality and whether the signs result in harm to public safety.
- 6.2 There are existing banner and fascia signs at the premises, advertising the use of the shop, however, there are no free-standing signs currently in situ, as previously approved.

Signs B & C

- 6.3 Signs B & C are located in front of the existing thatched building, located to the front of the residential dwellinghouse, and which was originally within retail use.

Although these two signs are not located directly outside the commercial premises, they are within the forecourt of the premises and it is considered this location would be less intrusive than two advertisements located against the chain link fence of the shop premises. Furthermore, a condition can be attached to any determination requiring that the existing signs on the thatched building are removed, which is considered to be a betterment for the visual amenities of the area.

Therefore, it is considered that two signs in this location are appropriate in advertising the use of the business.

Signs A & D

- 6.4 Signs A & D, which are located at the site entrance and exit, are shown to be located close to the edge of the curtilage area. Sign A is also located close to the common boundary with no. 439 London Road and an existing mature tree. The proposals will require the pruning of this tree, which is of value within the street scene as a whole. Sign D is shown to be located at the entrance of the site, and is outside of the neighbouring residential property, no. 427 London Road.

As these signs are sited on the periphery of the site it is not considered that they relate to the commercial use very clearly, and due to their location close to the highway, it is considered that they will be incongruous in the street scene and clutter the frontage of the site which will have a detrimental impact on the amenity of the surrounding residential properties.

In terms of public safety, the proposed signs are not sited on the public highway, but on land owned by the applicant. KCC Highways have not raised any objections to the proposed advertisements in terms of highway safety as the signs are non-illuminated and it is not considered that highway safety will be compromised.

6.5 Therefore, in light of the above considerations, I consider that a split decision is justified, with Signs B & C to be approved, whilst Signs A & D are to be refused.

7. Recommendation:

7.1 **Signs B & C: Grant Express Advertisement Consent** as detailed in accordance with the following submitted details: Letter dated 15.09.2009, Location Plan PPF/09/02/1 A dated 15.09.2009, Block Plan PPF/09/02/3 dated 10.07.2009, Letter dated 21.07.2009, Design and Access Statement dated 21.07.2009, Details PPF/09/02/2 A dated 21.07.2009, 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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 7 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (or any order amending, revoking and re-enacting those Regulations) no advertisement other than as hereby permitted shall be displayed on the site without the prior written consent of the Local Planning Authority.

Reason: The display of any additional signs could give rise to clutter which would be harmful to visual amenity and highway safety. In these circumstances, the Local Planning Authority wishes to bring all signs under its control.

7.2 **Signs A & D: Refuse Advertisement Consent** for the following reason:

- 1 Two additional signs along the road frontage would produce the effect of 'clutter' and be detrimental to the visual amenity of the locality.

Contact: Vicky Bedford