

**Tonbridge**  
Medway

**20 November 2018**

**TM/18/02756/AT**

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Proposal: Consent to display 5no. fascia signs and 1no. freestanding sign  
Location: Unit 2 Swanmead Way Tonbridge Kent TN9 1GG  
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**1. Description:**

1.1 Advertisement consent is being sought retrospectively to display 5 no. advertisements that are currently being displayed on this retail unit.

1.2 The scheme consists of the following advertisements:

- An internally illuminated fascia sign measuring 12.7m in length and 3.6m in height, located above the entrance to the retail unit.
- An illuminated sign mounted as part of the totem sign located within the car park (beneath the Aldi sign). This measures 2.1m x 2m and is double sided and internally illuminated.
- 2 no. non-illuminated fascia signs mounted with the shop front above the entrance and exit to the retail unit. Each of these measures 5m in length and 1.6m in height.
- A non-illuminated fascia sign locate above the delivery door.

**2. Reason for reporting to Committee:**

2.1 In light of the significant amount of local interest generated by the internally illuminated fascia sign being displayed above the store's entrance and at the request of Cllr Lancaster.

**3. The Site:**

3.1 The site is located within the urban confines of Tonbridge on the east side of Cannon Lane. The site contains a large retail warehouse building, half of which is occupied by the B&M retail store; the other half being occupied by an Aldi supermarket. A car park is located between the front of both stores and Cannon Lane, which is accessed from Swanmead Way. The boundary of the Tonbridge Conservation Area is located in part along the North West side of Cannon Lane opposite the application site.

**4. Planning History (relevant):**

TM/13/02357/FL

Approved

13 November 2013

Variation of condition (xi) to planning permission TM/87/1388 and condition (viii) of planning permission TM/88/0337 to extend the range of goods that can be sold

TM/15/02143/FL      Approved      9 November 2015

Variation of condition 5 and 6 of planning permission TM/13/02357/FL to widen the goods that can be sold and to reduce the minimum unit size

TM/15/03840/FL      Approved      6 April 2016

Variation of conditions 8 and 9 of planning permission TM15/02143/FL to increase the hours of the day when trading can take place and deliveries can be made to the site

TM/17/01152/FL      Approved      22 August 2017

Variation of condition 4 (to alter the range of goods that can be sold) of planning permission TM/15/03840/FL (To vary conditions 8 and 9 of permission TM/15/02143/FL to increase the hours of the day when trading can take place and deliveries can be made to the site)

TM/18/00958/AT      Approved      13 June 2018

Fascia signs; 2 single faced vinyl signs applied to glazing near the store entrance; 2 single faced signage poster panels near the store entrance, and 1 double faced totem sign near the site boundary which replaces an existing totem

## **5. Consultees:**

5.1 Private Reps: Site notice only: 0X/0S/30R. The reasons for objecting to the advertisements are:

- The excessive size of the illuminated fascia sign.
- The excessive brightness of the fascial sign and bright colours.
- The lighting is on at unnecessary times of the day. It should be restricted to the hours of trading.
- The bright, brash sign is not in keeping with the Conservation Area.
- The illuminated fascia sign causes light pollution over a wide area.

## **6. Determining Issues:**

6.1 Pursuant to Regulation 3 of the Town and Country Planning Control of Advertisements) (England) Regulations 2007 (as amended), this application can only be considered in terms of amenity and public safety. With regard to issues of amenity, Regulation 3 states at paragraph 2(a):

*“factors relevant to amenity include the general characteristics of the locality including the presence of any feature of historic, architectural, cultural or similar interest.”*

- 6.2 The internally illuminated fascia sign mounted above the shop entrance has attracted a lot of attention from local residents. There is no mistaking the fact that it is a large advertisement. However, when assessing its impact upon amenity, several factors need to be considered. In its immediate context, (that of the retail unit itself), the sign sits centrally above the retail unit’s entrance/exit. In daylight, it is seen against the backdrop of the building’s front wall and roof and sits below the ridge line. Whilst it is substantial in size, it is in proportion to the size of the retail unit it is displayed upon.
- 6.3 The B&M retail unit forms one half of the building within this site, with the other half being occupied by Aldi. A similarly sized and internally illuminated fascia sign is located above the entrance to that shop unit. That particular sign, whilst drawing objections from residents concerning the current application, has been granted consent already. As such it forms part of the context for assessing the B&M signage, the subject of this current application. When assessing the B&M illuminated fascia sign in the context of the wider building, it does not appear as an incongruous additional feature, given the scale of the wider building and the size, form and position of the consented Aldi fascia sign.
- 6.4 The B&M sign is, however, readily visible from public vantage points in the adjacent Conservation Area. It can be seen both during the day and night from Mill Lane. In day time it is still seen against the backdrop of the larger retail unit, beneath the ridge of the roof, and is, therefore, viewed in the context of the larger retail warehouse building. However, when it is illuminated at night, it appears as a very large and brightly shining beacon due to its stark contrast with the dark sky. In its current form, the advertisement is considered to harm views out of the Tonbridge Conservation Area and the advertisement therefore detracts from its setting at night. This harm is considered to be detrimental to the amenity of the locality.
- 6.5 The applicant has been advised to consider ways in which to mitigate this identified harm to amenity and has now proposed to change the lighting within the fascia sign to a less intensive array. This is considered to reduce the overall brightness of the sign by 18% from 170 cd/m<sup>2</sup> to 140 cd/m<sup>2</sup>.
- 6.6 Another means of controlling the impact of the illuminated advertisement is to simply have it switched off at night times. This has been suggested by some of the local residents and would remove the harm caused upon the setting of the adjacent Conservation Area as a result. It is worth noting that the Aldi fascia sign is conditioned to be switched off outside of trading hours and it is noted that that retail unit closes at 10pm. That sign, is not as visually prominent from public views within the adjacent Conservation Area as the B&M sign, the subject of the current

application. Consequently, I consider it reasonable for the B&M sign to be switched off earlier than 10pm. As this unit trades until no later than 8pm, it would be reasonable to require the sign to be switched off at this time. There is no need or reason for it to be left on whilst the shop is not trading.

- 6.7 The combination of the reduced intensity of illumination and requiring the fascia sign to not be illuminated during the late evening/night time would adequately mitigate the impact of this illuminated fascia sign upon the setting of the Tonbridge Conservation Area and views out of it. Conditions attached to a consent can be used to achieve these outcomes. With the use of such controls the internally illuminated advertisement would not cause such harm to the amenity of the locality that would warrant a recommendation to refuse permission.
- 6.8 With regard to the other signs being displayed on the building and within the totem in the car park, these are considered to be of a size and form that respects the retail park character of the building and wider site as a whole and do not cause unacceptable harm to the amenity of the wider locality.
- 6.9 Concerning public safety, factors relevant for consideration include the safety of persons using the highway; whether the display of the advertisement(s) hinder the ready interpretation of any traffic sign, the use of security cameras or speed cameras.
- 6.10 The advertisements are positioned entirely within private land and do not obstruct the public highway in any way. The highway authority considers that the scheme of signage as a whole does not have an adverse effect on the highway network. The advertisements do not obscure or hinder the interpretation of traffic signs located within Cannon Lane, and there are no speed cameras in the vicinity of the site. Even if there were, the advertisements are positioned such that they would not hinder their operation. Consequently, this scheme of advertisements does not cause demonstrable harm to public safety.
- 6.11 In light of the forgoing, I am drawn to the conclusion that with the use of appropriate conditions requiring the method of illumination to be amended in line with the applicant's own proposal and to have the illumination on the fascia sign switched off at 8pm, the advertisements would not cause unacceptable harm to the amenity of the locality. Due to this and that the advertisements do not cause demonstrable harm to public safety, I recommend that consent be granted, subject to conditions closely controlling the adverts.

## **7. Recommendation:**

- 7.1 **Grant Advertisement Consent** in accordance with the following submitted details:

**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 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.

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 condition that does not endanger the public.

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 -
  - (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.

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 site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: In pursuance of Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

7. The internally illuminated fascia sign referred to as fascia sign 1 on the application forms located above the shop entrance/exit shall be illuminated only

while the premises are open for business and shall not be illuminated between the hours of 8pm and 7am the following day on any day of the week.

Reason: In the interests of visual amenity.

8. The illumination shall of the fascia sign referred to as fascia sign 1 in the application forms shall not exceed 140 cd/m<sup>2</sup> and shall conform to the specification set out in email dated 1 February 2019. This agreed specification of illumination shall be installed within the fascia sign within 1 calendar month of the date of this consent and shall be retained at all times thereafter.

Reason: In the interests of visual amenity.

9. The illumination shall of the totem advertisements shall not exceed 200 cd/m<sup>2</sup> and they shall only be illuminated whilst the premises are open for business.

Reason: In the interests of visual amenity.

Contact: Matthew Broome