

Delegated Report

Advertisement Consent

Planning Application No: 20240630

Location: Bus Shelter Outside 112 Milton Road Gravesend Kent

Description: Consent to display advertisement(s); Replacement of existing double-sided internally illuminated 6-sheet bus shelter advertising displays with double-sided digital displays. Replacement digital displays will portray static advertising images that change every 10 seconds.

Applicant: Clear Channel UK Ltd

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 12/07/2024;
Supplementary Information – Picture 1;
Supplementary Information – Picture 2;
Supplementary Information – Specification Details;
Site Location Plan;
Block Plan; and
Drawing Number PY4176/110B.

Relevant Planning History

No relevant history

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- TC8 – Advertisement Consent

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- Advertisement Control Policy Guidelines (SPG3, adopted November 1996 - amended April 2020)

Other Relevant Guidance

- The Brightness of Illuminated Advertisements (Professional Lighting Guide 05) (2014)

Consultations, Publicity and Representations

Consultees

KCC Highways and Transport

The proposed luminance level for the digital displays is too high and should be revised in line with the guidance provided within the attached conditions.

Subject to the above and 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 maximum value of luminance must not exceed the maximum permitted values for the relevant zone given in the Institution of Lighting Professionals 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements'. The zones and their corresponding maximum level of luminance are detailed below:

Size of Advert/Sign - Up to 10m²:

- Zone E0 (Protected; dark) - 0 cdm-2
- Zone E1 (Natural; intrinsically dark) – 100 cdm-2
- Zone E2 (Rural; low district brightness) – 400 cdm-2
- Zone E3 (Suburban; Medium district brightness) – 600 cdm-2 *
- Zone E4 (Urban; High district brightness) – 600 cdm-2

Size of Advert/Sign - Over 10m²:

- Zone E0 (Protected; dark) - 0 cdm-2
- Zone E1 (Natural; intrinsically dark) – n/a
- Zone E2 (Rural; low district brightness) – 200 cdm-2
- Zone E3 (Suburban; Medium district brightness) – 300 cdm-2
- Zone E4 (Urban; High district brightness) – 300 cdm-2

All measurements are in Candelas per metre squared

- Minimum message display duration to be 10 seconds. Rate of change of messages to be instantaneous, i.e. no fading, merging, etc.
- No moving images or sequencing of images over more than one advert.
- No message sequencing where a message is spread across more than one screen image.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Ward Councillors – No comments received

GBC Environment Protection Team – No comments received

Neighbouring properties

8 surrounding properties were consulted and no responses were received. The consultation period ended on 16th August 2024.

Officer's Analysis

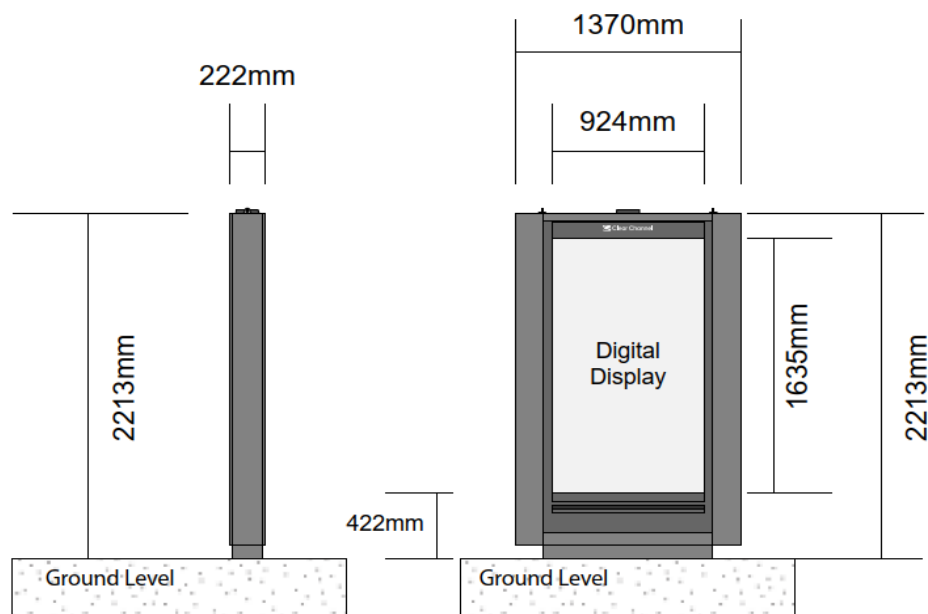
Proposal

Consent to display advertisement; Replacement of existing double-sided internally illuminated 6-sheet bus shelter advertising displays with double-sided digital displays. Replacement digital displays will portray static advertising images that change every 10 seconds.

The existing signage can be seen below:



The proposal would replace the existing signage with a digital display at either end of the existing bus shelter with measurements as shown below:



Analysis

Paragraph 141 of the NPPF (2023) sets out that poorly sited and designed advertisements can have a negative impact on the quality and character of an area and that advertisements should be subject only to control in the interests of amenity and public safety, taking account of cumulative impacts.

The local interpretation of this policy approach is set out in Saved Policy TC8 of the Gravesham Local Plan First Review. This policy sets out that applications for advertisement consent will be determined with reference to the adopted policy guidelines for advertisement control and that if displays are detrimental to public safety or to amenity, they will be resisted.

As such the main issues in the determination of this application are whether it is acceptable in principle to have illuminated and non-illuminated advertisements at the application site, and if so whether the proposed advertisements would be appropriate in public safety, amenity terms and highway safety.

Amenity

Advertisements are an important part of the local scene. Well-designed advertisements can add brightness and bustle to commercial areas. However, cluttered, poorly designed, overlarge or brightly lit advertisements can have an adverse effect on the environment.

The application site is located within the urban area where the principle of development is acceptable.

Policy CS19 states new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

Overall, the Borough Council is very concerned to ensure that the environment generally is improved by achieving a good standard of design in new development and is aware that commercial requirements have to be balanced against the need to protect the amenity of the area.

Policy 4 of the Advertisement Control Guidelines states that advertisements, including illuminated advertisements, will be considered on their individual merits and may be acceptable if they are viewed against a commercial background and, in the case of illuminated advertisements, are adequately screened from residential property.

The proposed signs will replace the double-sided internally illuminated 6-sheet bus shelter displays with double-sided digital displays with images to change every 10 seconds.

Whilst it is considered that the proposed signs will update and improve the appearance of the existing shelter, further to the above comments from Kent County Council, the level of illumination is considered to be too high for the proposed advertisement.

The proposed signage would measure 1.5m sq with a daytime luminance (full white) of 3500 cd/m². Which exceeds the 600 cdm-2 maximum permitted value for Zone E4 as set out by the Institution of Lighting Professionals 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements' and shown below:

Size of Advert/Sign - Up to 10m²:

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- Zone E1 (Natural; intrinsically dark) – 100 cdm-2
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- Zone E4 (Urban; High district brightness) – 600 cdm-2

Therefore, a condition will be included to ensure that any signage is in accordance with the above luminance levels.

Policy 7 - Advertisement displays will be expected to comply with the following criteria – they should be sympathetic to the appearance of the building or land on which they are displayed and should not be an over-intrusive feature in the street-scene or locality; they should not cause or add to an impression of clutter on a building or other land.

The proposed plans show signs that are sympathetic to the structure and the land upon which they are to be located. They replace existing signs and are not be overly intrusive in the street scene, as such no objections are raised.

Public Safety

Policy 8 states that advertisements should not obstruct visibility, interfere with the interpretation of road signs or traffic signals, or distract the attention of drivers. Subject to conditions limiting the levels of luminance, no objections are raised.

Recommendation

Consent for Advert

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	4th September 2024	Dated:	4th September 2024