

Delegated Report

Planning Application

Planning Application No: 20240159

Location: The Goose, 23 - 25 King Street, Gravesend DA12 2DU

Description: Consent to display advertisement; Sign A (1 & 2): 2 x Fascias illuminated externally, Sign B: 2 x Pictorials illuminated externally, Sign C: 2 x Amenities, Sign D: 2 x Menu Cases illuminated internally, Sign F: 9 x Uplighting Flood Lights.

Applicant: Mr Daniel Blumire

Site Visit Date: 14 March 2024

Submitted Documents/Plans

OS Plan
Location Plan
Existing Front elevation of building
Proposed Front elevation of building
Signage Plans (signs A, B and C)
Signage plans (signs D, E and F)
Photograph

Relevant Planning History

None recent.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS11 - Transport
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas
- 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 4 – Decision-making
- Section 12 – Achieving well-designed and beautiful places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 - Conserving and Enhancing the Historic environment

Supplementary Planning Guidance

- SPG3 – Advertisement Control policy Guidelines (2020)

Consultations, Publicity and Representations

Consultees

KCC Highways

I refer to the above planning application and 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 illumination of any sign which is visible from the carriageway not to be of a flashing type
- 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

The applicant should be advised that a licence will be required from Kent County Council for any sign/furniture/awning within or overhanging the highway and in this regard they should contact KCC Highways & Transportation on 03000 418181

Informative: It is important to note that planning 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 the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, 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 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 formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that 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.

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

GBC Environmental Protection

There is no objection to this application. All the illuminated signs are in accordance with the ILP Guidance.

GBC Highways Officer

I have no highway objections; lighting levels are well within guidance levels.

Neighbouring properties

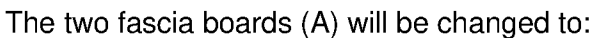
The application has been advertised by site notice, press notice and individual letters to 32 properties. No letters of representation have been received.

Officer's Analysis

Proposal

Consent to display advertisement; Sign A (1 & 2): 2 x Fascias illuminated externally, Sign B: 2 x Pictorials illuminated externally, Sign C: 2 x Amenities, Sign D: 2 x Menu Cases illuminated internally, Sign F: 9 x Uplighting Flood Lights.

The existing signage can be seen below:

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The existing lantern will remain and nine slimline LED floodlights will be installed up-lighting the building above the fascia (replacing existing lighting).

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, which is also located within the King Street Conservation Area, 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. It is also located within the King Street Conservation Area.

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.

Policy CS20 states the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place.

There is no particular reference to the building in the Conservation Area Appraisal however poor quality signage is listed as a negative feature of the area.

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 1 of the Advertisement Control Guidelines states that (for buildings located within the town centre subject to Policy CS08 of the Gravesham Core Strategy 2014) advertisements, including illuminated advertisements, will generally be acceptable on business premises in the town centre shopping area. However, the Borough Council will wish to see that displays are well designed and attractive.

The proposed signs are not dissimilar in appearance and quantity to those already displayed. The proposed signs will update and improve the appearance of the premises.

Policy 2 states that advertisements in local shopping centres should generally relate to the premises on which they are displayed. Illuminated advertisements may be acceptable where they are adequately screened from residential property or are essential for the operation of a business, open after normal shopping hours. It is likely that premises such as public houses and take-away food shops will fall within the category of businesses or activities open after normal hours.

The level of illumination will not drastically change and is appropriate for the type of business at the site.

The Borough Council is very concerned to ensure that the environment generally is improved by achieving a good standard of design in new development. This is particularly relevant in conservation areas. Advertisements of modern design often sit uneasily within such historic areas. The Borough Council accepts that advertisements are a necessary part of ensuring the continuing vitality of such areas but at the same time, expects the standard of such advertisements to be high quality and in harmony with the area in which they are displayed. Policy 5 states that the protection of amenity will be the paramount consideration. Advertisements should harmonise with the architectural features of any building on which they are displayed and not otherwise detract from the appearance of the conservation area or listed building. The proposed adverts and their illumination is appropriate for the area and in keeping with other surrounding businesses. They are not overly dissimilar to those that are already displayed but are updated. They are not considered out of character with the area.

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 building and the land upon which they are to be located. They replace existing signs and therefore will not be overly intrusive in the street scene. There are no residential properties in close proximity to the building and the level of illumination complies with the Institution of Lighting Professionals, Professional Lighting Guide 05; therefore 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. No concerns have been raised regarding road safety and the levels of illumination are appropriate, subject to conditions preventing any flashing signs, and limiting the levels of luminance.

Recommendation:

Consent for Advert

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

Case Officer:	Mrs Alison Webster	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	16 April 2024	Dated:	16 April 2024