



Delegated Report

Advertisement Consent

Planning Application No: 20240982

Location: Cobham Service Station South Watling Street Cobham Gravesend

Description: Consent to display advertisement(s); Erection of a wall mounted D6 small format illuminated advertising display.

Applicant: Miss C/O Agent

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form

23954 PA 01 – Site Location Plan

23954 PA 02 – Existing Site Plan

23954 PA 03 – Proposed Site Plan

23954 PA 04 – Proposed Site Plan

23954 PA 05 – Existing and Proposed Elevations

23954 PA 06 – Specification

23954 PA 07 - CGI

Appendix 1 – D-Poster Example

Appendix 2 – Example Sites Operating in Accordance with ILP Guidance During Different Times of the Day

Appendix 3 – Model Conditions

Appendix 4 – Application for Advertisement Consent : Proposal Factsheet

Cover Letter

Relevant Planning History

Reference	Description	Decision	Decision Date
20160142	Installation of 3no. above ground LPG storage tanks and single LPG dispensing pump.	Permitted	16.05.2016
20141077	Display of six externally illuminated 'Wave' signs, two externally illuminated 'blade' signs, eight non-illuminated 'Koala' signs and 16 non-illuminated number signs on the forecourt.	Consent	07.01.2015
20090495	Demolition of existing petrol filling station, forecourt and adjoining property and erection of a new petrol filling station comprising new sales building with café/restaurant, forecourt, new tanks and relocation of existing mobile phone mast.	Permitted	07.01.2010

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- TC8 – Advertisement Consent
- T1 – Impact of Development on the Highway Network

Paragraph 33 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- Supplementary Planning Guidance 3 – Advertisement control policy guidelines 2020

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

KCC Highways Officer

The location of this proposal falls outside of the KCC highway network and is within the control of the National Highways who should be consulted on this application.

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 the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a 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.

Neighbouring properties

N/A

Officer's Analysis

Analysis

Paragraph 141 of the NPPF 2024 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 1994. This policy sets out that applications for advertisement consent will be determined with reference to the adopted SPG3 policy guidelines for advertisement control and that if displays are detrimental to public safety or to amenity, they will be resisted. In relation to the application site, which lies within the Urban Boundary in the Urban Area of Gravesend, Policies 6, 7 and 8 of the Council's SPG3 apply.

Policy 6 sets out that in the countryside, advertisements will be resisted unless a strong case can be made for their display.

Policy 7 sets out that advertisement displays will be expected to 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 or clutter on a building or other land.

Policy 8 sets out those advertisements should not obstruct visibility, interfere with the interpretation of road signs or traffic signals or distract the attention of drivers.

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

Appropriateness in principle

The proposal would result in 1 no additional wall mounts illuminated advertising display, to the eastern elevation of the retail unit, located behind the petrol filling station upon entry to the site. It would be 1.23m wide by 2.165m high, with a depth of 0.22m. The display would have an LCD screen which would exhibit static adverts on rotation, which mimics a traditional paper and paste display, visually. It would be internally luminated at a level of 5000 cd/m² during daylight hours and 300cd/m² at nighttime.

The Borough Council's adopted Advertisement Control Policy Guidelines (November 1996) divides the Borough into different areas, and it is reasonable to conclude that the application site falls within the countryside, given its location in the rural area, in the Metropolitan Greenbelt. Although it is noted that the cover letter assesses this to be a suburban area. The guidelines, through policy 6, aim to resist advertisements unless a strong case can be made for their display. In this instance the site is a petrol filling station, and retail unit, located besides the A2. There are other adverts on the building and site. This advert would replace an existing paper advertisement board, which is larger in size, so there would be no actual increase in the number of adverts, and it could be considered that the smaller size represents an improvement to the appearance of the site. As such, in this instance it is considered that there is a strong case for the display of this advertisement in the countryside, being acceptable in principle. As such, the proposed adverts would comply with Policy 6 of Supplementary Planning Guidance 3 – Advertisement control policy guidelines 2020. However, the impact of the advert in terms of Amenity and Highway Safety requires further consideration.

Amenity

Policy 7 sets out that advertisement displays will be expected to 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 or clutter on a building or other land.

The proposed advertisement would have a minimal impact on the amenity of any surrounding properties, due to the location of the sign, reasonably set away from any residential properties. It would also not create a Significant increase in the number and scale of signage and so would be appropriate to the existing character of the area.

As such, it is considered that proposed development would be in line with Saved Policy TC8 of the Local Plan 1994, the Council's adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 141 of the NPPF 2024.

Public and Highway Safety

As set out in Policy 8, it is important that signage does not become a distraction for road users.

Artificial lighting can cause a statutory nuisance.

The sign would be set away from the residences to a reasonable degree.

The illumination of the signs would not exceed 300 cd/m² at night, which would not be excessively bright. However, during day time it would be up to 5000cd/m².

The KCC Highways Officer has advised that the application falls outside of their remit, and has not provided comment on the application.

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:

Table 3: Environmental zones			
Zone	Surrounding	Lighting Environment	Examples
E0	Protected	Dark	UNESCO Starlight Reserves, IDA Dark Sky Parks
E1	Natural	Intrinsically dark	National Parks, Areas of Outstanding Natural Beauty etc
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations
E3	Suburban	Medium district brightness	Small town centres or suburban locations
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity

In addition to the above environmental zones there are Areas of Special Control of Advertisements, see section 3.1.

Table 4: Maximum permitted recommended luminance (cdm ⁻²)					
Illuminated area (m ²)	Zone E0	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10	0	100	400	600	600
Over 10	0	n/a	200	300	300

It is considered that the area is Rural in nature and so for signs of up to 10m², such as the one proposed the luminance should be no greater than 400 cdm². The proposal would not result in any luminance over 300cdm² at nighttime and so the scheme would be compliant with this. It is noted that 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements', states that '*For digital signs when the content may change then the rate of change should be limited to once every five seconds. Moving images, animation, video or full motion images should not be displayed at locations where they could present a hazard for example if they could be seen by drivers in moving traffic. During the daytime sign luminance should never exceed 5,000cdm⁻².*

Setting the sign lower on the elevation, means that it would not be visible from further along the road, thus not allowing road users adequate time to view the information on the board raising concerns of hazardous driving. In this instance it appears as though the intent for this advert is for those stopping their vehicles at the filling station to view it when entering and exiting the building. However, given the lack of screening from the road as the below image shows, there is increased possibility that road users will be distracted, and try to view the advert, which would change on a rotation, resulting in hazardous driving on a busy A road.



Overall, it is considered that the proposed signage would **NOT** be acceptable in public safety terms and would be contrary to Saved Policy T1 and TC8 of the Local Plan 1994, Policy 8 of the Council's adopted Advertisement Control Policy Guidelines (SPG3) CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 141 of the NPPF 2024.

Conclusion

The proposed scheme would result in a motion advert, alongside the A2 which would cause unnecessary distraction to the attention of drivers, potentially resulting in hazardous driving, which would be contrary to Saved Policy T1 and TC8 of the Local Plan 1994, Policy 8 of the Council's adopted Advertisement Control Policy Guidelines (SPG3) CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 141 of the NPPF 2024.

Recommendation

The recommendation is to refuse this application.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	12th December 2024	Dated:	16 th December 2024