



Delegated Report

Application No: 20220579

Location: Land Adj To 29 The Hill, Northfleet, Gravesend DA11 9EX

Description: Consent to display an upgrade of the existing 48 sheet advert to support digital poster.

Applicant: Wildstone Estates Limited

Site Visit Date: 7 June 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form
Cover letter
Photos
Drawing no. PA 01 (site location plan)
Drawing no. PA02 (existing site plan)
Drawing no. PA03 (proposed site plan)
Drawing no. PA04 (existing and proposed plans)

Relevant Planning History

20040378	Change of use of premises to a residential dwelling.	Refused	16.08.2004
19910703	Change of use from workshop to garage and taxi office and erection of antenna aerial on the front elevation.	Refused	04.12.1991
19880074	Renewal of planning permission GR/86/910 for use of premises for sale of motor accessories and electrical repairs to car parts.	Refused	06.04.1988
19860910	Renewal of planning permission GR 83 552 for use of premises for sale of motor accessories and electrical repairs to car parts	Permitted	02.02.1987
19830552	Renewal of planning permission GR 83 4 for use of premises for	Permitted	05.09.1983

	sale of motor accessories and electrical repairs to car parts		
19830004	Use of premises for sale of motor accessories and electrical repairs to car parts	Permitted	31.01.1983
19820098	Use of premises for vehicle restoration and retail of accessories	Permitted	07.04.1982
19810589	The use of premises as a repair workshop	Planning permission required	06.07.1981
19760811	Erection of a single storey extension at side to provide additional storage accommodation	Permitted	01.12.1976

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Paragraph 33 of the National Planning Policy Framework (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- TC3 – Conservation Areas
- TC8 – Advertisement Consent

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG3 – Advertisement Control policy Guidelines (2020)
- The Hill, Northfleet Conservation Area Character Appraisal (2009)

Consultations, Publicity and Representations

Conservation Officer

No comments

KCC Highways

KCC made the following comments originally:

I refer to the above planning application for a digital poster to upgrade the existing 48 sheet advert at land adjacent to 29, The Hill, Northfleet.

With reference to the Transport for London document 'Guidance for Digital Roadside Advertising and Proposed Best Practice' dated March 2013, I would comment further as follows:

The minimum message display duration should ensure that the majority of drivers do not see more than one or two messages and, at sites such as this where the cognitive demands on a driver are higher, restricting the rate of change further to reduce the risk of a driver seeing more than one message at a time should be considered. A minimum message display duration of 30 seconds would be acceptable.

Taking all of the above into account it would not be acceptable to have a short duration of message display whereby drivers and pedestrians were subject to multiple changes of message on the advertising boards as this is likely to create an unacceptable distraction.

However a message display duration, such that the majority of drivers and pedestrians would only see one message whilst travelling, would be acceptable. I would therefore have no objection to the proposals subject to the following being secured by condition:

☐ 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 - 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 30 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.

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

In response to these comments, the applicant addressed the issues raised and KCC Highways changed their response to that which is pasted below:

I have reviewed the additional information that has been provided via email and can confirm that having assessed the location of the digital poster, a message display duration of 10 seconds would be acceptable. As detailed in my previous response, the rate of change of messages should be instantaneous, i.e. no fading, merging, etc.

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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.

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Neighbouring properties

The application was advertised on site and in the press. No letters of representation have been received.

Analysis

Proposal

Consent to display an upgrade of the existing 48 sheet advert to support digital poster. The digital poster will be approx. 4.8m high (1.7m from ground level) and 6.2m wide. It will replace an existing advertisement board. The digital display is controlled centrally off site and can show a traditional 48 sheet poster during the day and in the evening to ensure that it is muted and appropriately lit. The display will be capable of displaying 6 advertising campaigns at a time, sequencing every ten seconds.

Analysis

Paragraph 136 of the NPPF (2021) 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 an illuminated advertisement at the application site, and if so whether the proposed advertisement would be appropriate in public safety, amenity terms, including the impact on the Conservation Area, and highway safety.

Amenity and Impact on the Conservation Area

The application site is located within The Hill Conservation Area opposite a Grade II Listed building.

Policy TC3 states that development will be expected to make a positive contribution to the 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 that 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.

Para. 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

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 certain 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.

The urban areas of Gravesend and Northfleet are areas of varied land uses, including the borough's main industrial areas, open spaces and schools, together with mixed-use areas of shops, offices and houses around the edge of Gravesend town centre. Commercial requirements have to be balanced against the need to protect the amenity of residents and open spaces.

Policy 4 - Advertisement displays in other parts of the urban area of Gravesend and Northfleet will generally be acceptable on business premises, if they relate to the trade or activity carried on in the premises. Other 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. In this case the advertisement does not relate to a business premises or adequately screened from residential property.

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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.

The Borough Council is keen to ensure that advertisement displays do not detract from and, if possible, add to the quality of the environment; this applies especially in sensitive locations such as Conservation Areas and on Listed Buildings.

Policy 5 - In or adjoining conservation areas and on listed buildings, or in a position which would affect the setting of a Listed Building, 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 application has been accompanied by a covering letter where the applicants consider that the development is minor and would not impact the settings of the heritage assets, especially when considered against the impacts that currently exist due to their location within an urban environment. They go on to say that the plethora of other signage associated with the commercial buildings on The Hill mean that the proposed display would not appear out of place. The Council does not agree with this assertion. Whilst the character of the area is mixed with commercial and residential and there are other signs, the existing billboard is far larger than any other in the vicinity and located in a prominent location. It has no history of advertisement consent being granted. The proposal to replace this with a large, digital screen will further impact on the historic character of the area. The proposed display will neither preserve or enhance the Conservation Area or the setting of the nearby Listed Buildings.

The Hill Conservation Area appraisal clearly points to garish signage and poor quality development that harms the Conservation Area. The digital display would be larger and more modern than any of these developments and therefore cannot be considered acceptable in this location. The principle negative features of this part of the Conservation Area include 'unsightly additions include roller shutters and garish signage' and 'Street clutter created by freestanding signs outside shops'. The existing billboard is mentioned as a negative feature: 'Prominent billboard by the junction with Granby Road'. The more modern, larger digital display and its illumination is not considered an improvement on the current situation.

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 current billboard has been in situ for some time but has deemed consent due to the passage of time. It neither preserves or enhances the Conservation Area in which it is located and its replacement with a digital screen that is larger and illuminated will only serve to create a more prominent and inappropriate development in such a historic location.

The Borough Council is keen to ensure that advertisement displays do not detract from and, if possible, add to the quality of the environment; this applies especially in sensitive locations such as Conservation Areas and on Listed Buildings. The sign will not preserve or enhance the character of the Conservation Area and therefore fails to accord with the above-mentioned Policies.

Public Safety

Policy 8 - Advertisements should not obstruct visibility, interfere with the interpretation of road signs or traffic signals, or distract the attention of drivers. Notwithstanding the comments above, the sign will not have a detrimental impact in terms of public safety. In the event that the

application is approved at appeal an informative regarding works affecting the highway is recommended.

Recommendation:

The proposed digital screen, due to its size, appearance, illumination and prominent location within The Hill Conservation Area close to Listed Buildings, will neither preserve or enhance the character of the area and therefore will have a detrimental impact on amenity contrary to Policies TC2, TC3 and TC8 of the Gravesham Local Plan First Review 1994, Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and paras. 136 and 197 of the National Planning Policy Framework 2021.

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 19 July 2022	Dated: 20 th July 2022