



Delegated Report

Application No: 20220163

Location: 67 Stonebridge Road, Northfleet, Gravesend DA11 9BA

Description: Application for consent to display of 4 metres x 5 metres digital hoarding.

Applicant: Mr Mitchell Hill

Site Visit Date: 25 April 2022

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form
Covering letter
Photos
Site location plan
Block Plan
Drawing no. A-0-002 rev P3 (proposed side elevation)
Drawing no. A-0-001 (existing side elevation)

Relevant Planning History

None relevant

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

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):

- TC8 – Advertisement Control

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG3 – Advertisement Control policy guidelines (2020)

Consultations, Publicity and Representations

Highway Development Management Officer

I note this application has varied from a billboard to a digital advertising sign and I also note, they are now referring to the correct guidance in their considerations.

The institution of Lighting Professionals gives the following guidance regarding digital advertising signs, in their Professional Lighting Guide 05, The Brightness of Illuminated Advertisements. (2014)

“For digital signs when the content may change then the rate of change should be limited 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 luminance should never exceed 5,000cd/m²”

Unfortunately, it does not give a definition of daytime, which is I suggest sunrise to sunset. However, during the early morning and evening light levels can drop/rise rapidly so I would suggest the period of 5,000cd/m² is reduced to between a half after sunrise to half hour before sunset. All other times luminance should not exceed 300cd/m². However, when traffic volumes are light and there is little point in having the sign illuminated, there may be a benefit in a total switch off between 11pm and 7am.

I have no highway objections, but believe conditions are required to control levels of illuminance, the hours different levels of illumination are permitted, possible switch off period. No moving images, animation, video or full motion images can be displayed. The frequency of change of static images is limited to once every 10 seconds as stated in the application. I would also suggest that there is a failsafe mode in that should the sign fail in any way the default is for the sign to switch off. I believe this should be possible by continuously monitoring the energy consumption and if it remains constant over say a 5-minute period, the sign will have failed.

KCC Highways

No comments received on the revised plans. Previous comments:

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

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

Neighbouring properties

The application has been advertised by site notice and individual letters to two neighbouring properties. Two letters of objection have been received.

Main concerns:

- Query regarding level of advertising of application
- Already too many hoardings and advertising
- Not appropriate, detrimental visual effect
- Does the metal array on the end wall have permission
- Out of character
- Distracting and therefore a danger to road users

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. In relation to the application site, Policies 3, 4, 7 and 8 of the Borough Council's Advertisement Control policy guidelines apply.

Policy 3 sets out that illuminated advertisements in residential areas and villages will be resisted, except in special circumstances where a function advertisement is essential for the operation of the business or activity carried on after normal shopping hours. The display of other advertisement matter will be restricted to that essential for the identification of business premises. It is likely that public houses and guest houses will fall within the category of businesses or activities carried on after normal shopping hours.

Policy 4 sets out that advertisement displays in other part of the urban area of Gravesend and Northfleet will generally be acceptable on business premises, if they related 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.

Policy 7 sets out that 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.

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

Appropriateness in principle

The application site is located on the flank elevation of a domestic property in an area which is mixed use. The property is the end of a terrace of four located in an otherwise commercial and industrial area of Northfleet. There are numerous adverts visible from the application site and two examples of hoardings on the flank walls of residential properties further to the southeast at no. 50 Stonebridge Road and no. 50 Railway Street. The advertisement at no. 50 Stonebridge Road is a digital screen. The proposal seeks to replace the existing advertisement with a digital equivalent which will be 3m in height and 6m wide. It will display static advertisements on rotation and will be operated from a central location 24/7 without the need to visit each site individually to change the advert. The covering letter submitted with the application outlines a number of benefits of the proposed digital advertisement such as the aesthetic benefits compared to a paper hoarding that soon appears tired, fewer trips to the site to change the advert, less waste produced, possibility to use for emergency messaging, can display a range of adverts, create an opportunity for more locally relevant adverts and that it can be controlled from a remote location.

The site is located in a predominantly industrial and commercial area where there are other signs. The vast majority of these are related to the buildings upon which they are attached. The principle of a sign on the flank wall of this house is therefore acceptable. An assessment now needs to be

made regarding amenity, and public and highway safety.

Amenity

Although the advertisement proposed will be affixed to the flank elevation of a residential property, is it not a predominately residential area. The terrace of four houses are essentially 'stand alone' and do not relate to any other residential development. The closest houses being in Galley Hill Road where a more residential character begins.

The advertisement faces onto Stonebridge Road and will only be visible to traffic driving northwest towards Galley Hill Road. It is therefore considered that the proposed advert will have a minimal impact on the amenity of any surrounding properties, due to its location away from residential properties and will not be visible from those properties.

The proposed level of luminance at night are in line with the Institution of Lighting Guidelines and industry best practice, ensuring the proposed display does not cause any material harm to amenity. Within the context of the surroundings, there are other illuminated adverts however these are further to the southeast closer to the football stadium and numerous commercial uses. There are also other illuminations such as street lighting and traffic lights close to the site.

In terms of Policy 7, the advert is new however, while it may not appear overly sympathetic to the building, it is in a location where it will be visible from one direction only and where there is not a large number of hoardings signs therefore not resulting in an impression of clutter. It is noted that this opinion differs to that of an objection received, however, as discussed above, most signage is related to the business upon which it is located and independent hoardings are more prevalent further along the road to the southeast.

As such it is considered that proposed development would be in line with Saved Policy TC8 of the Gravesham Local Plan First Review and the Borough Council's adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the NPPF 2021.

Public and highway safety

As set out on Policy 8, it is very important that the sign does not become a distraction for road users, especially as it is located adjacent to a busy roundabout.

The proposed display would be seen by traffic travelling south on the B2175 (Stonebridge Road), which is limited to 40mph, is well lit, straight, level, and has excellent forward visibility.

The Agent has stated that drivers would be able to look briefly at the display without being distracted from the road, road users and pedestrians. Vehicles leaving Lower Road, joining Stonebridge Road would not be distracted by the sign, which is effectively behind the vehicles as they leave the road.

Kent Country Council Highways and Transportation team have not raised an objection to the application. Gravesham's Highway Development Management Officer has confirmed that the proposal conforms to the guidance issued by the Institution of Lighting Professionals, Professional Lighting Guide 05, The Brightness of Illuminated Advertisements (2014).

No objections are raised but conditions are suggested to control levels of illuminance and the hours different levels of illumination are permitted. No moving images, animation, video or full motion images can be displayed. The frequency of change of static images shall be limited to once every 10 seconds as stated in the application. A condition is also recommended to ensure there is a failsafe mode in that should the sign fail in any way the default is for the sign to switch off.

As such, it is considered that the proposed sign would be acceptable in public safety terms and would be in line with Saved Policy TC8 of the Gravesham Local Plan First Review, Policy 8 of the Borough Council's adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the NPPF.

Conclusion

The proposed sign, subject to the imposition of conditions, would have no adverse impacts to residential amenity or to public and highway safety.

Recommendation:

Advertisement consent is granted subject to the five standard conditions and the following additional conditions;

6. No special visual effects of any kind are permitted during the time that any advertisement is displayed. The displayed image must not include animated, flashing, scrolling, intermittent or video elements.

Reason: In the interests of amenity and public safety and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC8 of the Gravesham Local Plan First Review 1994, the adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the National Planning Policy Framework (NPPF).

7. No visual effects of any kind are permitted to accompany the transition between any two successive advertisements. The replacement image must not incorporate any fading, swiping or other animated transitional method.

Reason: In the interests of amenity and public safety and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC8 of the Gravesham Local Plan First Review 1994, the adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the National Planning Policy Framework (NPPF).

8. The minimum time between successive displayed images shall be 10 seconds.

Reason: In the interests of amenity and public safety and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC8 of the Gravesham Local Plan First Review 1994, the adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the National Planning Policy Framework (NPPF).

9. The sequencing of advertisements relating to the same product is prohibited.

Reason: In the interests of amenity and public safety and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC8 of the Gravesham Local Plan First Review 1994, the adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the National Planning Policy Framework (NPPF).

10. The intensity of the luminance of the advertisement displayed shall be no greater than 300Cdm² during hours of darkness and in the event of the night-time luminance level failing to be achieved, the advert should be deactivated immediately and not continue operating at brighter than acceptable levels.

Reason: In the interests of amenity and public safety and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC8 of the Gravesham

Borough Council Local Plan First Review 1994, the adopted Advertisement Control Policy Guidelines (SPG3) and paragraph 136 of the National Planning Policy Framework (NPPF)

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 12 September 2022	Dated: 12 th September 2022