



Application: 20220426

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND)
REGULATIONS 2007**

NOTIFICATION OF GRANT OF EXPRESS CONSENT TO DISPLAY ADVERTISEMENT(S)

To: **Mr Pete Jankowski, Celsius Consulting Limited
C/O Mr Wright, Celsius Consulting Limited
Carrwood Park
Selby Road
Leeds
LS15 4LG**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED EXPRESS CONSENT** for the display of (an) advertisement(s) situate

at **Prepworld
Unit K
Springhead Enterprise Park
Northfleet
Gravesend
Kent
DA11 8HH**

and being **erection of a South elevation non illuminated building mounted sign, east elevation illuminated building mounted sign with Totem and North elevation non illuminated building mounted sign and Totem**. Your application dated 20th April 2022 is subject to the following:-

CONDITIONS AND REASONS

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. Notwithstanding the details as submitted in the application form and approved drawings and specifications, and for the avoidance of doubt, the static illumination levels shall not exceed 300 cd/m² (candelas per square metre) such as to comply with the guidance set by the Institution of Lighting Professionals in the Professional Lighting Guide 05: The Brightness of Illuminated Advertisements (Zone E3: Suburban - Medium district brightness); any brighter illumination or intermittent lighting shall require the separate express consent of the Local Planning Authority.

Reason: In the interests of amenity and public safety and in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC8 of the Gravesham Local Plan First Review (November 1994) and the adopted Advertisement Control Policy Guidelines (SPG3).

7. Notwithstanding the details as submitted in the application form and approved drawings and specifications, and for the avoidance of doubt, the illumination shall be switched off between the hours of 23.00 and 06.00.

Reason: In the interests of amenity and public safety and in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC8 of the Gravesham Local Plan First Review (November 1994) and the adopted Advertisement Control Policy Guidelines (SPG3).

INFORMATIVES:-

1. STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

2. DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application for consent to display advertisements form;
Drawing no. 10007/signs/001 Rev. B Existing and proposed elevations;
Drawing no. 10007/signs/002 Rev. A Red and blue line site boundary plan;
Design and Access Statement; and
Emails from the agent dated 16 and 21 June 2022.

3. INFORMATION FROM KCC HIGHWAYS & TRANSPORTATION

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

Dated: 23 June 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



NOTE:

This consent is confined to consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever, or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

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**NOTIFICATION TO APPLICANT:**

- (1) Regulation 13(5) of the 1992 Regulations provides that every grant of express consent shall be for a fixed term which shall not be longer than 5 years from the date of grant of consent

without the approval of the Secretary of State, and if period is specified the consent shall have effect as consent for five years.

- (2) At any time within the period of six months before the expiry of the consent, application may be made for the renewal thereof.
- (3) Regulation 13 of the 1992 Regulations provides that, without prejudice to the power of the district planning authority to impose additional conditions upon grant of consent, the standard conditions mentioned in the notification of grant of consent shall apply.
- (4) Regulation 15 of the 1992 Regulations provides as follows:-

### **APPEALS TO THE SECRETARY OF STATE**

Provisions of Section 78 of the Town and Country Planning Act 1990

“Section 78

- (1) Where a Local Planning Authority refuse an application for express consent or grant it subject to conditions, the applicant may by notice appeal to the Secretary of State.
  - (2) A person who has made an application for express consent may also appeal to the Secretary of State if within the period of 8 weeks from the date when the application was received by the Local Planning Authority, that authority have neither given him notice of their decision on it nor given him notice that they have exercised their power under Section 70A to decline to determine the application.
  - (3) Any appeal under subsection (1) or (2) shall be made by notice served within **8 weeks** from the date of receipt of the Local Planning Authority's decision or, as the case may be, within **8 weeks** from the expiry of the period mentioned in subsection (2), or within such longer period as the Secretary of State may in either case at any time allow.
  - (3A) The notice mentioned in subsection (3) shall be accompanied by a copy of each the following documents:-
    - (a) the application made to the Local Planning Authority;
    - (b) all relevant plans and particulars submitted to them;
    - (c) any notice of decision; and
    - (d) any other relevant correspondence with the authority.
  - (4) Where an appeal is made to the Secretary of State as mentioned in subsection (3), he may require the appellant or the Local Planning Authority to submit to him, within such period as he may specify, a statement in writing in respect of such matters relating to the application as he may specify, and if, after considering the grounds of appeal and any such statement, the Secretary of State is satisfied that he has sufficient information to enable him to determine the appeal he may, with the agreement in writing of both the appellant and the Local Planning Authority, determine the appeal without complying with Section 79(2).
  - (5) For the purposes of the application of Sections 79(1) and 288(10)(b) in relation to an appeal under subsection (2), it shall be assumed that the authority decided to refuse the application in question.”
- **NOTE:** Any appeal under Section 78 should be addressed to the **Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0117 372 6372; fax: 0117 372 8443; email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).**