

Officer Report

Application No.	24/0158/FH
Site Address	6 St Katherines Crescent, Ground Floor Unit, Sellindge, TN25 6FW
Officer Name	Danielle Wilkins
Proposal	Advertisement consent for 3 glazed windows

Recommendation

Report Number	RD-434113
Recommended Decision	Recommended to be Approve with Conditions
Recommendation Date	25 March 2024

Report

SITE

The application site consists of a ground floor retail unit within a larger block of flats on the corner of St Katherine's Crescent and Ashford Road in the village of Sellindge. The application site is within the rear elevation of the building (south facing) fronting onto an area of open space with dwellings opposite.

The application site is within the settlement boundary, an area of archaeological potential and there is a TPO tree directly to the south of the application building. St Katherine's Crescent is a private highway.

RELEVANT HISTORY

Y14/0873/SH - Hybrid application for the redevelopment of land between the A20 and M20 at Sellindge. Application for Outline permission (with all matters reserved except access) comprising of 200 dwellings, local mixed use centre containing parish offices (sui generis up to 100m²), and associated storage (sui generis up to 100m², 40m² as closed storage and 60m² as secure outdoor storage) commercial floorspace (A1/A3/A5 uses up to 200m²) together with access from the A20, associated roads, parking, earthworks, open space including attenuation features and landscaping. Full application comprising 50 dwellings, village green and play equipment, access from the A20, associated roads, community car parking, earthworks, open space including attenuation features and landscaping. Approved with conditions

PROPOSAL

This application seeks advertisement consent for the installation of window advertisements across all three external windows and doors, consisting of frosted panelled stickers advertising the coffee lounge, this would be approximately half the height of the floor-to-ceiling windows placed almost centrally on the window. The colour of the advertisement is suggested as being black lettering/numbering on the frosted background.

CONSULTATION RESPONSES

Consultation responses are available in full on the planning file. The main points raised are summarised below.

Sellindge Parish Council – no comments received

REPRESENTATIONS

0 representations received

PUBLICITY

Neighbours notified by letter. Expiry date 12/03/2024

Site notice displayed. Expiry date 13/03/2024

RELEVANT POLICIES

Core Strategy Local Plan:

Places and Policies Local Plan: RL9

NPPF: 141

NPPG:

APPRAISAL

Design and visual appearance

Policy RL9 of the Places and Policies Local Plan requires that advertisements are: sensitively designed and located; the size, scale, materials, colour scheme and means of illumination are appropriate; the cumulative impact of the advertisement would not be detrimental; the advertisement is not overly prominent in the streetscene and is not a danger to public safety and; proposals for illuminated advertisements should reflect the character of the building on which it is to be attached and its immediate surroundings, the proposed illumination is unobtrusive and discreet in its form and its quality enhances the advertisement display.

The proposed signage would be fixed to the external windows of the commercial unit, the material, colours and layout of the proposed signage are considered to be appropriate for the character of the building. It is not considered that the proposed signage would be overly prominent within the streetscene and would be unlit. The proposed signage is not considered to pose a risk to public safety.

It is considered that the proposed signage is acceptable in terms of design and visual amenity and would not cause significant visual harm to character or appearance of building or wider street scene.

Amenities of neighbouring occupiers

It is not considered that the proposal would result in any significant harm to residential amenity.

Parking and highways

With regards to highway safety, the application site fronts onto a private highway, that has not been adopted by KCC Highways, in addition, the signage consists only of window appliques that would be unlit and set approximately 3.3m from St Katherine's Crescent to the east and 20m from St Katherine's Crescent to the south, it is therefore considered that the proposed signage would not result in harm to highway safety.

Environmental Impact Assessment

In accordance with the EIA Regulations 2017, this development has been considered in light of Schedules 1& 2 of the Regulations and it is not considered to fall within either category and as such does not require screening for likely significant environmental effects.

DUTY TO COOPERATE

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service and, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

PUBLIC SECTOR EQUALITY DUTY

In determining this application, regard has been had to the Public Sector Equality Duty (PSED) as set down in section 149 of the Equality Act 2010, in particular with regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. It is considered that the application proposals would not undermine objectives of the Duty.

It is considered that the application proposals would not conflict with objectives of the Duty.

RECOMMENDATION

In light of the above, it is considered the proposal is a sustainable development that complies with development plan policy and the NPPF and is therefore recommended for approval subject to conditions.

Recommended Conditions (2)

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 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.

Reason:

In accordance with the provisions of Regulation 2(1) of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007.

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The development hereby permitted shall not be carried out except in complete accordance with the following approved drawings and documents:

KMD050 - PRO_01_302 Rev A Proposed Floor Plan

KMD050 - PRO_01_301 Rev A Proposed Elevations

Reason:

For the avoidance of doubt and in order to ensure the satisfactory implementation of the development in accordance with the aims of Places and Policies Local Plan.