

4.3 SE/14/01618/ADV Date expired 5 August 2014

PROPOSAL: Installation of 4 fascia signs (2 illuminated).

LOCATION: Marks And Spencer, 66 London Road, Sevenoaks TN13 1AT

WARD(S): Sevenoaks Town & St Johns

#### **ITEM FOR DECISION**

The application has been referred to Development Control Committee by Councillor Raikes on the basis that it is a significant site and could have a major impact on the street scene and Bligh's in particular.

**RECOMMENDATION:** That planning permission be GRANTED subject to the following conditions:-

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.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

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.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007 in the interests of amenity and public safety.

6) The advertisements hereby permitted shall not be illuminated outside of store opening hours.

To safeguard the amenities of the area.

### **Informatives**

1) For the avoidance of doubt, the advertisements subject to this consent are those shown on drawing No 00805 Revision 02

### Description of Proposal

- 1 This application seeks advertisement consent for the installation of 4 no fascia signs on the elevations of the new M&S store in Sevenoaks. The signage proposed would consist of individual cut lettering set against the building, displaying the “M&S” logo. The lettering would be in aluminium with an acrylic face, and two signs would be internally illuminated by means of LED lighting. The location and size of the lettering would be as follows –
  - 1 x illuminated sign above the main entrance to the building measuring 2010mm x 5000mm
  - 1 x illuminated sign on the east elevation of the building (facing across the larger Blighs car park) measuring 1810mm x 4000mm
  - 1 x non-illuminated sign on the London Road frontage above the basement car park measuring 800mm x 2205mm. This will also include a smaller non-illuminated sign underneath the M&S sign with “car park” displayed.
  - 1 x non-illuminated sign on the north elevation of the building, on the flank wall facing down London Road. This would measure 1210mm x 3000mm
- 2 The application was originally submitted for all advertisements to be illuminated. However, following concerns raised over the impact of some illuminated signage on the setting of the conservation area and listed buildings, the application was amended to reduce the number of illuminated signs as set out above.

### Description of Site

- 3 The application site relates to the new retail store constructed at 66 London Road, which will be occupied by M&S. The site is located within the town centre and adjacent to the Sevenoaks High Street Conservation Area. The London Road frontage of the building faces a number of commercial and residential properties, some of which are listed buildings.

### Constraints

- 4 Adjacent to the Sevenoaks High Street Conservation Area
- 5 Adjacent to listed buildings (Nos 73-93) on the opposite side of London Road

## Policies

### *Sevenoaks District Local Plan:*

6 Policies - EN1, EN23

### *Sevenoaks Core Strategy:*

7 Policies - SP1

### *Sevenoaks ADMP:*

8 Policies - EN1, EN5

### *Other*

9 NPPF: Paras 67 and 68

10 The Sevenoaks High Street Conservation Area Appraisal

## Planning History

11 SE/12/01611 – Demolition of existing commercial building and the construction of a new two storey retail unit with undercroft parking and the construction of a separate four storey apartment block consisting of 22 one and two bedroom apartments, together with associated car parking, bin stores and cycle areas - Approved

12 SE/13/01398 - Minor material amendment to SE/12/01611/FUL for the Demolition of existing commercial building and the construction of a new two storey retail unit with undercroft parking and the construction of a separate four storey apartment block consisting of 22 one and two bedroom apartments, together with associated car parking, bin stores and cycle areas, changes to include increase in height of roof, alteration to lift position, reconfiguration of plant area at roof level and changes to fenestration - Approved

## Consultations

### *Sevenoaks Town Council*

13 Sevenoaks Town Council recommended refusal on the following grounds:

1. Detrimental impact on the Street Scene
2. Internally illuminated signage is contrary to guidance set out in the Bligh's signage guide.

14 In response to the above comments, Councillor Raikes has referred the application to committee on the basis that it is a significant site and could have a major impact on the street scene and Blighs in particular.

### *Kent Highways -*

15 I have no objection to the proposals.

16 The main conservation considerations when assessing the proposals are impact on the setting of the conservation area and listed buildings (designated heritages), whilst the building itself is not within a conservation area or a listed building the signage will impact on their setting. The previously submitted illuminated signage on the northern and eastern elevation was considered inappropriate because large scale illuminated signage introduces a modern and incongruous element to the small grain of the historic high street. Although the illuminated signage was to be attached to a modern building the signage would have been prominent within the surrounding historic context when viewing along London Road. In removing the illumination from the north and eastern elevations it is considered that the harm has been mitigated.

17 The illuminated signage to the car park elevations is considered unobjectionable.

#### Representations

18 None received

#### **Chief Planning Officer's Appraisal**

19 Regulation 3 of the Advertisement Regulations requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

#### Amenity

20 The Advertisement Regulations do not explicitly define amenity, but refer to the impact of signage on visual amenity and the general characteristics of a locality, including the presence of any feature of historic, architectural, cultural or similar interest. National guidance on advertisements states that, in practice, "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

21 With regard to this specific application, the advertisements would be installed on a building of substantial size and scale, and on this basis I do not consider that the advertisements would appear over-dominant or excessive in size. The advertisements are limited to one per elevation and I do not consider this would cause any visual cluttering. The advertisements are of a modern design, however they would be installed on a modern building and I consider this approach to be appropriate. Whilst they would utilise modern materials, the advertisements would consist of individually cut lettering applied directly to the building. As such they would have a very limited impact upon the façade of the building, and would not appear unduly prominent.

22 Two of the advertisements would be illuminated – the advert over the main entrance to the retail store, and the advert facing the Blighs car park on the east facing elevation of the building. The method of illumination is shown as internal LED lighting set behind the lettering.

- 23 Some of the advertisements would be visible from London Road where the building abuts the Sevenoaks High Street Conservation Area. However, when seen against the sizeable backdrop of the building itself, I do not consider that the adverts would harm the setting of the conservation area – they would remain subservient to the building and of a design to complement the modern appearance and scale of the building. In addition, those adverts closest to the London Road frontage (on the north and west facing elevations) are designed to be non-illuminated and smaller than the adverts on the front elevation of the building and facing east. In my opinion, these smaller, non-illuminated signs would not be harmful to the setting of the conservation area.
- 24 Whilst the illuminated sign over the main entrance would be visible from the conservation area, it would be set back from the conservation area boundary and visible at a greater distance over the car parking area. Given these factors, I do not consider that this sign would harm the setting of the conservation area.
- 25 The sign above the car park entrance on London Road would be sited opposite the last in a row of listed buildings at 73 London Road. However this sign would be non-illuminated, limited in size and very modest in relation to the significant façade of the building that fronts onto London Road. The same can be said of the sign facing north at high level that would be visible as you approach the store from the Council offices. I do not consider that the design, size or siting would cause visual harm to the setting of these buildings.
- 26 The Council’s conservation officer is satisfied that the signs would not cause harm to the setting of the conservation area or listed buildings.
- 27 The advertisement would not generate any noise, therefore there would be no impact on aural amenity.
- 28 Overall, I am satisfied that the advertisements proposed would not cause any harm to the amenity of the area, in accordance with regulation 3 of the Advertisement Regulations. They would not harm the setting of the adjacent conservation area, or harm the setting of listed buildings on the opposite side of London Road, and in this respect would be compliant with policies EN1 and EN23 of the local plan, SP1 of the Core Strategy, and EN1 and EN4 of the ADMP.

#### Public Safety

- 29 The Advertisement Regulations advise that public safety interests would extend to highways safety and crime prevention.
- 30 In terms of highways safety, the advertisements are simple in design, uncluttered, and would not obstruct or distract road users. Kent Highways raise no objection to the proposal on highways safety grounds.
- 31 In terms of public safety, the advertisements would not obstruct CCTV cameras or cause unacceptable levels of glare, and as such would not interfere in the prevention of crime.
- 32 As such I consider that the advertisements would not cause any harm relating to public safety, in accordance with regulation 3 of the Advertisement Regulations, and policies EN1 of the Local Plan and EN1 of the ADMP.

## Other matters

- 33 The town council has raised concern that the signs do not follow guidance within the Blighs signage guide. This guide is not adopted supplementary guidance and as such carries little weight. In any case, the guidance set out relates to the original Blighs shopping development of generally small scale units, which are suited to different forms of advertisements than a large scale retail store as is subject to this application.
- 34 Members may also be aware of a recent appeal decision which dismissed an application to install 16 street signs within Blighs Meadow. Whilst these are smaller in size than the M&S signs, the Inspector was particularly concerned about the proliferation of signage in the area that would arise from the number of signs within the scheme. I do not consider that this is directly comparable to the advertisements proposed at the M&S store.

## **Conclusion**

- 35 I consider that the advertisements would not cause any harm relating to amenity or public safety, in accordance with regulation 3 of the Advertisement Regulations.

## **Background Papers**

Site and Block plans

Contact Officer(s):

Mr A Byrne Extension: 7225

**Richard Morris**  
**Chief Planning Officer**

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=N680T9BKFZ400>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N680T9BKFZ400>



