

4.3 - 23/03054/ADV

Revised expiry date 26 April 2024

Proposal: Signage to identify the company on the external facade of the premises plus directional signage for car parking and entry way. Covering the front and rear elevations of the building and use of boundary wall along with two freestanding pillar mounted signs at angles to the road replacing current signage

Location: Ground Floor, 26 - 28 Pembroke Road, Sevenoaks Kent TN13 1XR

Ward(s): Sevenoaks Town & St Johns

**Item for decision**

The application has been referred to Development Management Committee due to the site being on council owned land.

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; orc - 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) 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

5) 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.

6) The illumination of the advertisements should only be static in nature and the maximum intensity of the illumination shall not exceed 600 candelas /m<sup>2</sup>

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

7) The advertisements hereby approved shall be installed in accordance with the following approved plans and details: Email dated 15 Feb 24; Proposed Block Plan; 1388/1202 C2 - Proposed Elevations; 1388/1201 C1 - Proposed Elevations; Proposed Elevations [COMBINED DRAWINGS RECEIVED 1 FEB 2024]

For the avoidance of doubt and in the interests of proper planning.

### **National Planning Policy Framework**

In dealing with this application, we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### **Description of site**

- 1 The site comprises a three-storey building fronting Pembroke Road in Sevenoaks town. The subject property is brick built with large glass windows at all floor levels. At present, the property has a small freestanding sign displayed at the front boundary of the property.

### **Description of proposal**

- 2 The proposal is for external signage both identifying the company and directional signage. During the course of the application the amount of the signage was reduced and now the signage will be on the front and rear building elevations and the boundary wall along with two freestanding pillar mounted signs at angles to the road replacing current signage.

## Relevant planning history

- 3 22/00818/ADV - Consent to display signs - GRANT

## Policies

- 4 National Planning Policy Framework (NPPF)

Para 11 of the NPPF confirms that there is a presumption in favour of sustainable development, and that development proposals that accord with an up-to-date development plan should be approved without delay.

Para 11 of the NPPF also states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:

- application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 7); or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 7 relates to a variety of designations, including SSSIs, Green Belt, AONBs, designated heritage assets and locations at risk of flooding.

- 5 Core Strategy (CS)

- SP1 Design of New Development and Conservation

- 6 Allocations and Development Management (ADMP)

- EN1 Design Principles
- EN2 Amenity Protection

- 7 Sevenoaks Town Neighbourhood Plan (STNP)

- C4 - Character, Heritage and Identity

## Constraints

- 8 The following constraints apply:

- Sevenoaks Residential Character Area (SRCAA) – O01
- Urban Confines
- TPO – West Boundary
- Sevenoaks Town Neighbourhood Plan

## Consultations

### 9 Sevenoaks Town Council

Recommended refusal, on the grounds that the proposal exceeds the permitted level of illumination as indicated by Environmental Health and Kent Highways. This is a prominent junction and the scale of the proposal is unacceptable.

### 10 Sevenoaks Town Council Re-consultation

Recommended refusal, unless the Planning Officer is satisfied that the steps to address the lighting are satisfactory, and the scale of the signage is in keeping with the area.

### 11 Environmental Health

The illuminated signs do not appear to comply with the criteria contained in the ILE Guidance PLG 05 'The brightness of Illuminated Advertisements.' This guidance provides the maximum luminance levels for various sizes of illuminated areas, and these are:

- Illuminated area of more than 10m<sup>2</sup> - maximum illuminance of 300 cd/m<sup>2</sup>  
Illuminated area of not more than 10m<sup>2</sup> - maximum illuminance of 600 cd/m<sup>2</sup>  
Illuminance levels for the signs are given as 1250 cd/m<sup>2</sup> and 1500 cd/m<sup>2</sup> which are obviously far in excess of these levels.
- in addition, the application form does not make it clear for some signs if they are to be illuminated or not as no response has been given on the form. Based on the above, it is recommended that the scheme is revised to take into consideration the criteria contained in the ILE Guidance.

### 12 Environmental Health Re-consultation

Some signs have now been removed. The amended drawings and specification of the remaining signs now states that the illuminated signage will be compliant with the maximum luminance levels in that they will be 600 cd/m<sup>2</sup>.

This is the maximum level for signs of not more than 10m<sup>2</sup> in area in this category of Environmental Zone in the ILE Guidance PLG 05 'The brightness of Illuminated Advertisements.' The 3 illuminated signs do not appear to have changed in either size or design, so I'm unsure as to how the levels can have dropped from 1250 cd/m<sup>2</sup> and 1500 cd/m<sup>2</sup> to the now quoted/maximum permissible level of 600 cd/m<sup>2</sup>? Can the applicant explain or verify these levels please. This is a prominent location/junction so the signs will be highly visible and in addition there are residential premises close by. We need to ensure that the lighting will not be overly bright.

13 Environmental Health Re-consultation

The additional information submitted by the applicant dated 15<sup>th</sup> February 2024 has been reviewed. The explanation provide for the reduction in illumination levels is acceptable. Provided the lighting levels do not exceed the ILP guidance as the specification now indicates, the proposal is therefore acceptable and there is no objection. It is recommended that a condition be applied to any permission that requires the lighting to be installed in accordance with the details, levels submitted and the ILP guidance and that there be no changes to the lighting without seeking permission from the LPA.

14 KCC Highways

The application proposes illuminated signage that exceeds the recommended luminance levels. 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'.

15 KCC Highways Re-consultation

Revised information has been submitted that states that the illuminated signs have been changed and will now have reduced luminance levels of 600 cd/m<sup>2</sup> which is within the guidance permitted. No objection.

**Representations**

16 None Received

**Chief Planning Officer's appraisal**

17 The main planning consideration are:

- Visual amenity
- Impact on public safety

18 In accordance with Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the Local Planning Authority is required to exercise its powers in the interests of amenity and public safety. The development plan may be held as a material consideration in the determination of express consent applications.

19 The regulations indicate that in the assessment of advertisement consent applications, 'amenity' includes visual amenity. The most relevant matter for consideration in this case is the visual impact of the signage upon the street scene and the character and appearance of the area in which the signage is proposed.

- 20 Paragraph 141 of the National Planning Policy Framework (NPPF) states that advertisements should only be subject to control in the interests of amenity and public safety, taking into account cumulative impacts. Given this, the combined impact of the signage will be assessed as well as their individual impact.

### **Visual amenity**

- 21 Policy SP1 of the Core Strategy and Policy EN1 of the Allocations and Development Management Plan state that all new development should be designed to a high quality and should respond to and respect the character of the area in which it is situated.
- 22 The properties that line Pembroke Road are a mix of commercial and residential with the nature and scale of the commercial buildings increasing at the junction of Pembroke Road, London Road and Eardley Road. Importantly, due to the mixed nature of the setting, advertisements and signage are displayed in multiple locations throughout Pembroke Road. As such, the principal of advertisements in this location is acceptable.
- 23 The building is located on a main through road into Sevenoaks in which multiple roads converge and passers by wait at traffic lights. The building and therefore the proposed adverts would be in a highly visible location and visible for a substantial amount of time.
- 24 During the course of the application, the amount of signage has been reduced from 9 to 6.
- 25 On the principal elevation of the building, a sign will be placed in the apex of the central gable with a smaller sign between the ground and first floor right hand windows. The apex signage will be static illumination, and the smaller sign will not be illuminated. The signage would not dominate or overwhelm the existing building.
- 26 Also at the front, a free-standing double-sided sign is to be located in the same place as the existing signage already present on site. This would have static illumination. Additionally, at the south-eastern entrance a free-standing directional sign is proposed which will not be illuminated. The free-standing signage is limited in height, scale and bulk and would not appear overly obtrusive or overly dominant within the street scene.
- 27 The remaining signage is located to the rear to signpost customers parking in the associated car park. A banner style sign is located between the ground and first floor windows. The building is located 45m from the adjacent Conservation Area to the rear and with established boundary treatments to the rear and being non-illuminated, the visibility of this signage and its impact on the character of the area and on the Conservation Area would not be considered harmful.
- 28 Considering the proposal, the signage is limited, restrained and appropriately located and would be considered to comply with policy EN1 of the ADMP, relevant guidance with the SRCAA and policy C4 of the STNP.

## **Impact on Public Safety**

- 29 Some of the proposed signage will sit adjacent to the public highway that is Pembroke Road meaning that any potential obstruction in terms of visibility would be an important consideration. Therefore, KCC Highways and Environmental Health were consulted.
- 30 The site is within an area of mixed uses. The site would be in accordance with the Institution of Lighting Engineers Technical Report Number 5 in an area designated as zone E3: 'Medium district brightness areas (e.g. small Town Centres or suburban locations).
- 31 The Lighting Engineers Technical Report Number 5 suggests that in zone E3 areas an acceptable level of illuminance would be 600cd/m<sup>2</sup> for those under 10m<sup>2</sup> and 300cd/m<sup>2</sup> for those over 10m<sup>2</sup>.
- 32 The proposed illuminance levels for the signage has now been confirmed to match these acceptable levels of illuminance and has been confirmed as static. The signage would be comparative to other properties with signage and not considered harmful or excessive. As a result of these levels, both KCC Highways and Environmental Health have no objection to the scheme. As such, it is considered that the proposed signage would not have an adverse impact on public safety.
- 33 Overall, guided by the representation made by KCC and Environmental Health, it is considered that the proposal will not have a significant adverse impact on the safety and operation of the surrounding highways or pedestrian safety.
- 34 Appropriate and relevant conditions can be added to any grant of advertisement consent.

## **Community Infrastructure Levy (CIL)**

- 35 The development is not CIL Liable.

## **Conclusion**

- 36 The proposed signage is considered acceptable in size, scale, siting and in terms of public safety and therefore the proposal complies with policies EN1, EN2 of the Allocations and Development Management Plan and SP1 of the Core Strategy. The proposal is therefore considered to be policy compliant and in accordance with the NPPF and our adopted development plan.

## **Recommendation**

- 37 It is therefore recommended that advertisement consent is GRANTED – subject to conditions.

## Background papers

38 Site and block plan

Contact Officer(s):

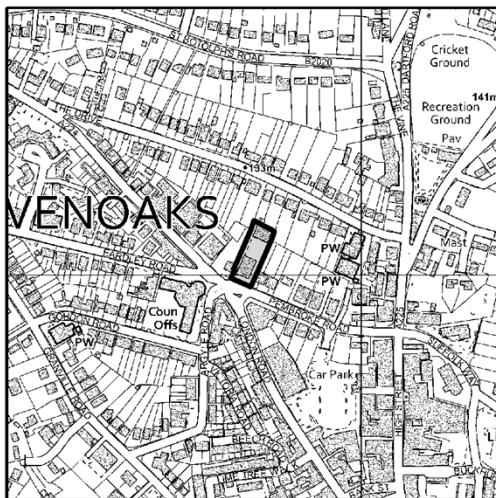
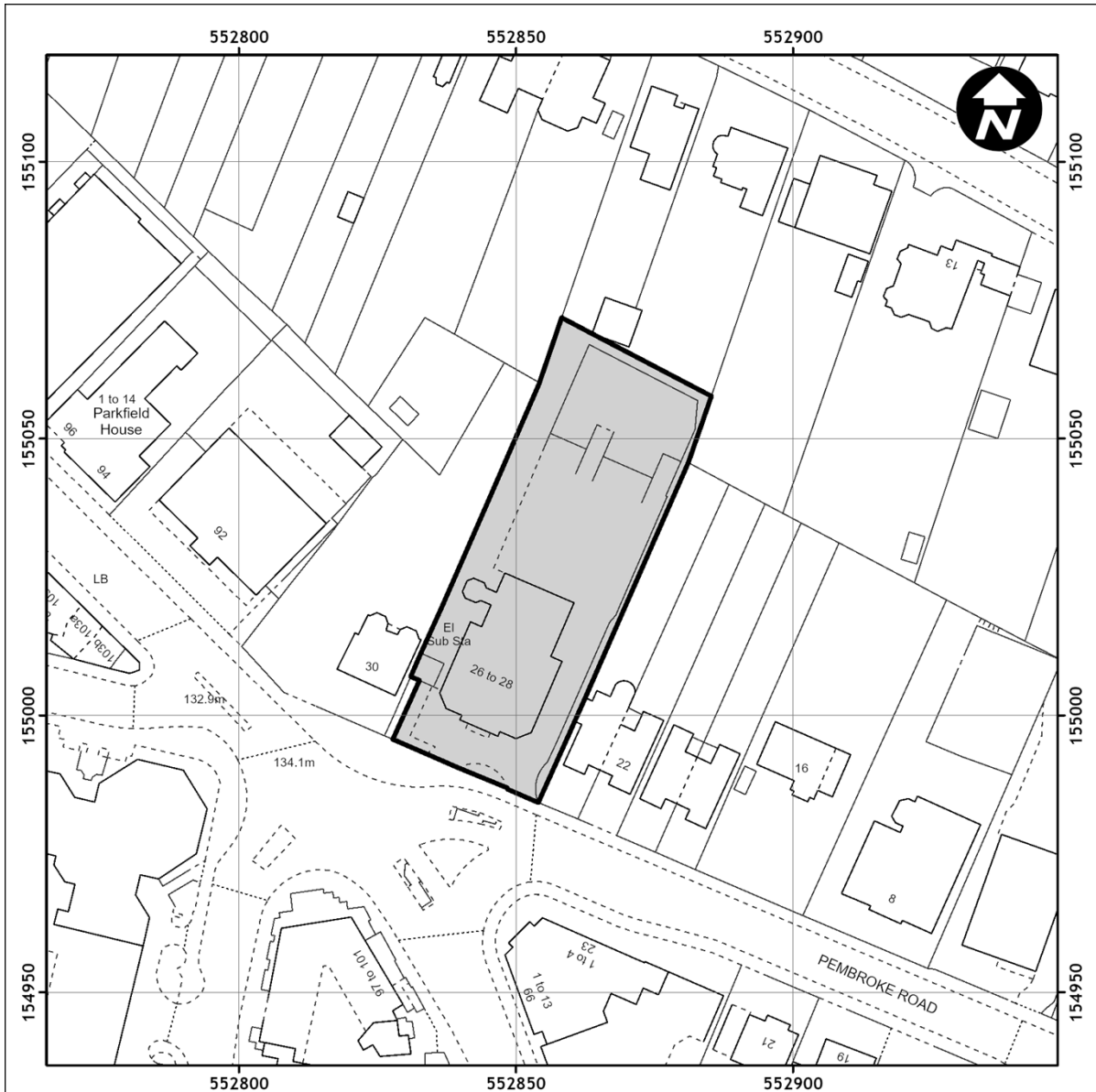
Stephanie Payne 01732 227000

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

[Link to application details:](#)

[Link to associated documents:](#)





# Site Plan

Scale 1:1,250

Date 27/03/2024



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Ordnance Survey AC0000822250

BLOCK PLAN

