

**A04**

**A/TH/23/0452**

PROPOSAL:                   Erection and display of 1No fascia sign with illuminated neon lettering (retrospective)

LOCATION:                     Pier Head Shelter The Harbour BROADSTAIRS Kent CT10 1EU

WARD:                        Bradstowe

AGENT:                      Mr Daniel McCarthy

APPLICANT:                 Mr Warren Roe

RECOMMENDATION:         Approve

Subject to the following conditions:

1       Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

2       Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

3       Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

4       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.

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

5 No advertisement shall be sited or displayed so as to obscure or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

**GROUND;**

In pursuance with Schedule 1, Regulation 2(1) of the Town and Country Planning (Control of Advertisement) Regulations 2007.

6 The intensity of the illumination of the advertisement hereby approved by this consent shall at no time exceed 150 cd/sq.m , \*\*\*\*

**GROUND;**

In the interest of the visual amenity of the area in accordance with Policy QD06 of the Thanet local Plan.

INFORMATIVES

Information on how to appeal this planning decision or condition is available online at <https://www.gov.uk/appeal-planning-decision>

SITE, LOCATION AND DESCRIPTION

The application relates to the shelter at the end of the Jetty in Viking Bay which lies within the Broadstairs Conservation Area. The timber clad structure comprises a restaurant at one end with an external seating area, with the remainder of the shelter currently open for members of the public to use. The space within the roof is used for storage and the restaurant and store area at ground floor are enclosed. The remainder of the shelter currently comprises upright supports allowing open views through to the sea from the arm of the jetty. Planning permission was recently approved to extend the restaurant within the shelter and the permission is extant.

PLANNING HISTORY

F/TH/22/1638 GTD 20 April 2023

Erection of single storey front, side and rear extensions to existing restaurant together with landscaping and seating areas

PROPOSED DEVELOPMENT

The application seeks Advertisement Consent for the retention of an illuminated neon sign displaying the name of the restaurant 'JETTY'. The applicant advises the sign has been in place since 1st May 2022 and therefore the application is retrospective.

The sign is located on the west facing side elevation of the building and faces across the bay. The double outline yellow neon text is illuminated at 150 cd/m<sup>2</sup> and spells 'JETTY'

which is the name of the restaurant. The sign is mounted onto a 1.5 metre by 0.7 metre black pan with a clear acrylic cover. The letter 'J' is 600mm high and resembles an anchor with the remaining letters being 400mm high.

## PLANNING POLICIES

### **Thanet Local Plan 2020**

QD06 - Advertisements

## NOTIFICATIONS

Neighbours have been notified, a site notice posted and an advert placed in the newspaper and one representations have been received from The Broadstairs Society:

The Society is aware the application is retrospective and it is a shame professional help was not sought from either the Planning Officer or the Conservation Officer beforehand. The Society is not keen on an illuminated sign in a sensitive area in and around the Jetty.

**Broadstairs & St Peter's Town Council** - The Planning Committee of the Town Council has considered this application and has resolved unanimously to make No Comment.

## CONSULTATIONS

**Conservation Officer** - Following a review of the proposed application I would consider there to be a less than significant implication to the setting and appearance of the surrounding conservation area.

**Environmental Health** - EH has no objection to the application, we have had no complaints and given its location the sign will have negligible impact on neighbouring dwellings in terms of light nuisance.

**Kent Highways and Transportation** - Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

**Environment Agency** - We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee.

## COMMENTS

The application is brought before members as the land is owned by Thanet District Council. The main considerations in assessing the proposal are the principle of development, impact on the amenity of the area and public safety.

In considering the application the Local Planning Authority is required to take into account the requirements of Thanet Local Plan Policy QD06 which states applications for advertisements will be considered in relation to their effects upon amenity and public safety. In and adjoining conservation areas the Council will require that the design and siting of advertisements does not detract from, and preferably makes a positive contribution to, the character and/or appearance of the area. This policy is supported by paragraph 136 of the National Planning Policy Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed and consents should take into account cumulative impacts.

There are no specific policies within The Broadstairs and St Peter's Neighbourhood Development Plan however there are Design Guidelines for Advertisements and Signs within Appendix 5 which require advertisement signs to be considered in relation to their effect upon the amenity of the location, public safety and their suitability in relation to the area in which they are provided. They should not dominate but blend into the scale and character of the surrounding area, and where illuminated they should only highlight the proposed sign. The design guidelines support the requirements of policies within the Local Plan and the NPPF and are consistent with the aims of Policy BSP4 which seeks to protect the key characteristics of the Broadstairs seafront area.

### **Impact on the Amenity of the Area**

Consideration needs to be given as to whether the signs would have a detrimental impact on the character and appearance of the Broadstairs Conservation Area. The Conservation Officer has been consulted and raises no objections to the sign considering there to be a less than significant implication to the setting and appearance of the surrounding conservation area.

The sign is located on the western elevation of the building close to the entrance to the restaurant. The sign has been in place since May 2022 and comprises the word 'JETTY' spelt out in illuminated neon lettering. The double outlined yellow neon text spelling 'JETTY' is mounted onto a 1.5 metre by 0.7 metre black pan with a clear acrylic cover. The letter 'J' is 600mm high and resembles an anchor with the remaining letters being 400mm high.

The sign faces Viking Bay and can be seen from Eldon Place and The Promenade. Neon signs are visible from long distances and can be seen even in foggy and misty weather conditions. Environmental Health have been consulted and advise that due to its location the sign will have a negligible impact on neighbouring dwellings in terms of light nuisance. With regards to the impact of the sign on the amenity of the area, and in particular the Conservation Area, the sign is fairly modest in size in relation to the scale of the building and the illumination is static, providing a yellow glow at a fairly low illuminance level of 150 cd/m<sup>2</sup>. There is only one sign on this elevation, other than the menu board, and therefore with regards to paragraph 136 of the NPPF the sign does not appear overly dominant and being a single sign it does not amount to visual clutter. The sign has been sensitively located on the side of the building allowing the building to be appreciated and the character of the area to be maintained. Environmental Health have further confirmed that they have received no complaints in relation to the retrospective sign.

With regards to the amenity of the area the building faces across Viking Bay which is surrounded by a number of commercial properties displaying a number of different sized signs and therefore the sign would not harm the amenity of the area and would not detract from the character and appearance of the Broadstairs Conservation Area and is therefore considered acceptable.

### **Public Safety**

Policy QD06 sets out that advertisements will be considered in relation to their impact upon public safety. In this instance the sign is attached to the side of the building and does not project onto the area around the shelter in such a way as to cause obstruction to passers by.

The bottom edge of the sign finishes 2.8 metres above ground level. Kent Highways do not normally comment on small scale development where there is unlikely to be a complex highway issues. Nevertheless, with regards to public safety Kent Highways require the bottom edge of projecting signs to be between 2.5 and 2.7 metres above the ground leaving room for pedestrians using the highway. The lower edge of the sign is above this height and would not obstruct users of the public highway and does not obstruct access into the restaurant.

The sign is located a significant distance from the public highways and has static illumination at a relatively low level that would not cause glare to users of the highway.

Given the above the signs would not result in harm to public safety.

### **Conclusion**

The sign has been sensitively placed on the building and would not adversely impact upon the amenities of the area, making a positive contribution to the overall appearance of the Broadstairs Conservation Area, whilst not causing harm to public safety. The proposal therefore accords with the requirements of Thanet Local Plan Policy QD06 and the NPPF. It is therefore recommended that members approve this application for advertisement consent.

### **Case Officer**

Rosemary Bullivant

TITLE: A/TH/23/0452

Project Pier Head Shelter The Harbour BROADSTAIRS Kent CT10 1EU

Scale:

