

## **SECTION '2' – Applications meriting special consideration**

**Application No :** 18/04122/ADV

**Ward:**  
**Chislehurst**

**Address :** Queen Mary House Manor Park Road  
Chislehurst BR7 5PY

**Objections: Yes**

**OS Grid Ref:** E: 544587 N: 169860

**Applicant :** Mr Rabheru

### **Description of Development:**

Nine non-illuminated railing mounted signs, four non-illuminated post mounted directional signs, one non-illuminated balcony banner and four non-illuminated hanging signs with posts

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 16

### **Proposal**

An application for the demolition of the existing building (Queen Mary House) and its redevelopment to form 50 Assisted Living apartments (Class C2 use) including communal facilities, parking and landscaping was allowed on appeal under reference 15/05237/FULL1. This advertisement application seeks consent for the erection of advertisements in relation to the marketing of this development.

This application seeks consent for nine non-illuminated railing mounted signs, four non-illuminated post mounted directional signs, one non-illuminated balcony banner and four non-illuminated hanging signs with post.

The railing mounted signs would measure 2.4m wide and 0.55m high, the directional signs would measure 1m wide and 1m high, the banner sign would measure 6.54m wide and 1.1m high and the four non-illuminated hanging signs with post 0.61m wide and 0.61m high on a post at 2.4m high.

The railing mounted signs would be replacing the signs on the hording, however the freestanding sign boards and flags granted at appeal under ref: 17/02032/ADV would still have consent and could remain in situ until 14/08/2020.

The applicant has requested that the signs be in-situ until 07/08/2019.

## **Location and Key Constraints**

The site lies within the Chislehurst Conservation Area. There are listed buildings adjoining the north of the site however the proposed advertisements are away from this location to the south of the development. The advertisements do face however the Manor House complex (Grade II) on the opposite side of Manor Park Road, approximately 14m away at the closest point.

## **Comments from Local Residents and Groups**

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

### Objections

- Site is opposite a Grade I and II listed building and located within the Chislehurst Conservation Area.
- There are already large advertising signs so it is wholly unnecessary to erect further advertisements as proposed which will significantly impact local residents, particularly those living directly opposite.
- The proposed elevated balcony banner would be highly visible from the road and neighbouring homes, especially once the trees have shed their leaves.
- The eight proposed 2.4 m wide railing mounted signs, would run for some 120 m of frontage. The size of these signs and therefore their visual impact, also appear to be under-represented in the elevation drawing.
- There is no need for extra signage to advertise this property as this has been advertised both online and in the local papers. Railing mounted signs, post mounted directional signs, balcony banner and hanging signs with posts are going to be an eyesore.
- Why do they need any further advertising when over 70% of the development has already been sold.
- The advertising that is currently in situ is an eyesore with even more unnecessary and over the top advertising is wholly uncalled for.
- There is no need to have additional signage as this property is already well advertised and can continue to be within local papers and on the internet. There is also sufficient advertising boards already outside the property.
- The proposed signs on the front railings of the property as excessive in number.

- That amount of signage is inappropriate in a Conservation Area and will detract from the appearance of the street.
- The 4 "hanging signs" are also excessive in number and the balcony banner is likewise inappropriate in a Conservation Area.
- Concern over the accuracy of the form as some signs are already in place.
- Concern over the accuracy generally of the application.
- Concern over the extent of advertisements along Manor Park Road.
- South elevation is misleading and does not truly represent the visual impact.
- Concern that people who work for the applicant have made representations and refer to removal of flags and higher level signs, but as not the applicant or agent this should not be taken as a statement of fact.

*Please note the above is a summary only of the objections received; full text is available on the Council's website.*

#### Support (acting on behalf of applicant)

- The proposed signage would have less of an impact upon the character of the area than those which were approved on appeal.
- The adverts railing panels are smaller and less obtrusive than the hoarding adverts that were approved under the appeal scheme.
- Signs would not appear overly large or over dominant and given the hoardings have now been removed means that the trees and planting behind the railings are visible from the street scene and would further soften the appearance of the proposed adverts.
- Consider that the proposed advertisements would preserve or enhance the character or appearance of the conservation area and the changes on the front boundary would also see the removal of the flags and higher level sign boards which were granted at appeal.

*Please note the above is a summary only of the support letter received; full text is available on the Council's website.*

#### Local Groups

The Chislehurst Society - The Society wishes to make the following OBJECTION to the above application:

- This development is progressing. Information contained on existing display boards suggest sales of the 'apartments' is progressing well.
- The applicants should remember, the site is within the Chislehurst Conservation Area. Current planning policy states that advertising hoardings will normally be resisted in conservation areas (UDP policy BE21).
- We consider the 13 proposed signs on the front railings of the property to be excessive. The repeated sales messages and direction information is unnecessary.
- The 'hanging signs' would be better located away from the road frontage and be positioned within the approach to the car park to direct visitors to sales office, show flats etc.
- The balcony banner is totally out of keeping with the character and appearance of the conservation area. We deplore the use of such advertising. The applicant appears not to have gained any appreciation of the locality within which their new scheme is located.
- Regular travellers along Manor Park Road will be very aware of what the residential scheme has to offer prospective purchasers. Those prospective purchasers from outside of the local area will have appreciated the qualities of the scheme from off-site marketing literature.
- Festooning the site railings and a balcony with marketing message boards/banners detracts from the ambiance created by the architecture and landscaping.
- As such the application is contrary to UDP policy BE21.

### **Comments from Consultees**

APCA: Objection. Excessive and detrimental to the Conservation Area, contrary to Policy BE21 and SPG 4.48 and 4.49.

Conservation Officer: Reduction in signage would overcome previous refusal reason and a condition should be added to any permission to limit the time period for display of advertisements.

### **Policy Context**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,

- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was published on 24<sup>th</sup> July 2018. According to paragraph 48 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF

The Council is preparing a Local Plan. The submission of the Draft Local Plan was subject to Hearings from 4<sup>th</sup> December 2017 and the Inspectors report is awaited. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The development plan for Bromley comprises the Bromley UDP (July 2006), the London Plan (March 2016) and the Emerging Local Plan (2016). The NPPF does not change the legal status of the development plan.

The application falls to be determined in accordance with the following policies:

#### London Plan Policies (2016)

7.4 Local character

7.8 Heritage assets and archaeology

#### Unitary Development Plan (2006)

BE1 Design of New Development

BE7 Railings, boundary walls and other means of enclosure

BE11 Conservation Areas

BE21 Control of Advertisements and Signs

#### Draft Local Plan (2016)

Policy 37 General Design of Development

Policy 41 Conservation Areas

Policy 102 Advertisements

## **Planning History**

The relevant planning history relating to the application site is summarised as follows

15/05237/FULL1; Demolition of existing building and erection of three storey building comprising 52 assisted living extra care apartments (37 x 2 bed and 15 x 1 bed) (C2 use) including communal facilities, parking and landscaping; Refused; Allowed on appeal

16/02226/ADV; Proposed signage, hoarding and flags; Refused

17/02032/ADV; Proposed hoarding, freestanding sign boards and flags; Refused and subsequently allowed at appeal

18/00018/ADV; Proposed hoarding, freestanding sign boards and flags; Refused

## **Considerations**

The main issues to be considered in respect of this application are:

- Design
- Neighbouring amenity
- CIL

### Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Nine non-illuminated railing mounted signs are proposed across the frontage of the site facing onto Manor Park Road and within the site there are a further four non-illuminated post mounted directional signs, four non-illuminated hanging signs with posts and a balcony banner sign.

Policy BE21 of the UDP relates to the control of advertisements, hoardings and signs and states that advertisements and signs should be in keeping with the scale, form and character of the surrounding area, as well as considering impacts to road users and pedestrians.

Though the site is within a residential area and Conservation Area and as such advertising may be resisted in accordance with Policy BE21, it is acknowledged that the signage may slightly alter the residential character of this part of the conservation area, these types of advertisements are not unusual and it is considered that given the short period of time they will be in situ (given the signage relates to the sale of the units), they will not cause an unacceptable impact upon the Conservation Area.

It is appreciated that the signage is located opposite the Grade I and II listed properties within the Manor House complex. Given the distances between the proposed advertisements and the heritage assets, the scheme is not considered to unduly impact upon the setting or character of the listed buildings, especially given their time limited siting.

The level of and type of signage raises no objection by the Council's Conservation Officer subject to the signage only being erected for a short time period. The proposed signage is not considered to cause significant harm to the character and appearance of the Conservation Area, has no impact upon the setting of the nearby listed buildings nor adversely affects residential amenity. On balance, the advertisements are considered acceptable subject to a condition restricting their siting until 07/08/2019.

#### Neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

Whilst it is noted that several neighbours have raised concerns regarding the size, number and type of advertisements in this locality, the signage is set away from the residential properties and therefore no concern is raised in this regard, especially given that it is proposed to include a time limiting condition to any permission.

#### CIL

The Mayor of London's CIL is a material consideration. CIL is not payable on this application.

## **Conclusion**

The application is a revision of previously refused applications where the size of signs have been reduced along the Manor Park Road frontage, it is considered that this reduction would overcome any previous concerns and reasons for refusal and as such the advertisements, subject to a time limiting condition would have little significantly detrimental impact on the character and appearance of the Conservation Area.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 02.10.2018**

## **RECOMMENDATION: CONSENT**

**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.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

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

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) 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.**

**Reason: Regulation 14 (1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

- 4 No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.**

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) 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).

**Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.**

- 6 The advertisements hereby granted shall only be displayed for a period no longer than 07/08/2019. At the end of the limited period hereby granted, the above advertisements shall be removed.**

**Reason: The display of advertisements hereby permitted are considered satisfactory only pending and during the development of the site and to comply with Policy BE21 (Control of Advertisements, Hoardings and Signs) in the Unitary Development Plan (2006) and regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.**

- 7 The advertisements hereby consented shall not be carried out otherwise than in complete accordance with the plans approved under this advertisement consent unless previously agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy BE21 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area and regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.**