

Policy & Resources Committee	
Meeting Date	13th July 2026
Report Title	Proposed Designation of Areas of Special Control of Advertisements (ASCAs)
EMT Lead	Emma Wiggins - Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson – Head of Place
Lead Officer	Jhilmil Kishore – Principal Heritage Officer
Classification	Open
Recommendations	1. To note the outcomes of the public consultation, which concluded on 26 May 2026, relating to the proposed designation of an Area of Special Control of Advertisements (ASCA). 2. To agree the amendments set out in this report, and to adopt the updated ASCA document and associated guidelines as the final version for the purpose of making an Order to designate the ASCA. 3. To agree that, following adoption, the Council proceeds to prepare the formal Order and submit the proposed ASCA designation Order and Statement of Reasons to the Secretary of State for approval.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to present to the Policy and Resources Committee the outcomes of the public consultation on the proposed designation of a targeted Area of Special Control of Advertisements (ASCA) within Conservation Areas that contain a commercial centre. The consultation concluded on 26 May 2026.
- 1.2 A revised ASCA document and associated guidelines have been prepared, incorporating and responding to the feedback received during the consultation. Officers recommend that the Committee approve the amendments set out in this report and formally adopt the updated ASCA document and guidelines for the purpose of making an Order to designate the ASCA. Following adoption, the Council will prepare the formal Order and submit the proposed ASCA designation Order to the Secretary of State for approval.

2 Background

- 2.1 Swale Borough Council currently does not have an ASCA. Since the adoption of the Heritage Strategy in 2020 and subsequent Action Plans whereby a number of Conservation Areas have been reviewed, it has been proposed that to better manage and maintain Swale's historic environment and heritage, a targeted ASCA can prove beneficial for Conservation Areas with a commercial centre, and can be formally designated (subject to confirmation by the Secretary of State). Any designation needs to be based on public consultation and must follow specific legal steps, including consideration of the order by the Secretary of State. Following an all-members briefing in May 2024, it was agreed that a draft consultation document would be prepared for approval by the PTPWG and Policy and Resources Committee, before undertaking public consultation.
- 2.2 The Advertisement Regulations set out rules for the display of advertisements and place limits on the kind of advertisements which require formal permission from a Local Planning Authority. The Planning Acts enable a Local Planning Authority to designate an Area of Special Control of Advertisements (ASCA) where there are stricter controls on the type, size and height of advertisements. The legislation requires that an ASCA should only be designated where there is a need for special protection due to scenic, historic, architectural or cultural features. ASCA designations should be reviewed every five years.
- 2.3 The proposal is to designate a targeted Area of Special Control of Advertisements (ASCA) that provides additional protection to High Streets within the existing Conservation Areas. It will be a matter for the Policy and Resources Committee to decide whether the draft updated document as presented in Appendix I is fit for purpose.
- 2.4 The ASCA is proposed to be designated in the following Conservation Areas:
- a. Cellar Hill & Greenstreet
 - b. Faversham Town
 - c. Milton Regis
 - d. Newington High Street
 - e. Queenborough
 - f. Sheerness Mile Town
 - g. Sheerness Royal Naval Dockyard and Bluetown, and
 - h. Sittingbourne
- 2.5 Out of the above eight Conservation Areas, apart from Faversham Town and Queenborough the remaining six are on Historic England's Heritage at Risk register primarily because the historic significance of their high streets is vulnerable and deteriorating. Designating an ASCA in these Conservation Areas would facilitate better management of their shopfronts and the historic significance of their high streets.
- 2.6 Designation of an ASCA allows greater control over the following:
- size of lettering/symbols on advertisements (0.3m maximum)
 - the height of advertisements on facades (3.6m above ground level)

- the proportion of a frontage given over to advertisements (10% maximum)
- advertisements with internal or 'halo' illumination
- advertisements on hoardings around construction sites
- advertisements on telephone kiosks
- advertisements on captive balloons
- advertisements on flags

2.6 However, within a Conservation Area, advertisement types 4-8 listed above are already controlled and are not subject to 'deemed consent'; advertisement consent is required. Additional controls on lettering size, advertisement height above ground level and façade proportion (requiring consent for items 1-3 above) would additionally address the issue of badly proportioned glazing and fascia and help manage and maintain traditional shopfront scale and proportions.

3 Proposals

3.1 The recommendations are that Members:

- To note the outcomes of the public consultation, which concluded on 26 May 2026, relating to the proposed designation of an Area of Special Control of Advertisements (ASCA).
- To agree the amendments set out in this report, and to adopt the updated ASCA document and associated guidelines as the final version for the purpose of making an Order to designate the ASCA.
- To agree that, following adoption, the Council proceeds to prepare the formal Order and submit the proposed ASCA designation Order and Statement of Reasons to the Secretary of State for approval.

4 Alternative Options Considered and Rejected

4.1 One option would be not to progress the ASCA designation project any further. This is not recommended because it would risk the justifiable continuation of the designation and/or the appropriately sensitive and positive management of the Conservation Area and its wider setting moving forward. It would also go against recommendations within the adopted Heritage Strategy.

4.2 A second possible option would be to suspend the work on this designation until some point in the future. Whilst this option would reduce officer time, it could still lead to (a) the continued deterioration of the High Streets within Conservation Areas, (b) reputational damage to the Council and/or (c) development and associated infrastructure provision decisions being made for the locality without an appropriate understanding and appreciation of the special qualities of the Conservation Areas with a commercial centre within the Borough.

4.3 Other options related to alternative boundaries, Conservation Areas, National Landscapes and borough-wide are detailed in the draft consultation document attached as Appendix I. The proposed extent and boundaries are considered an

appropriate reflection of identified need and the resources available to implement and manage the designation.

- 4.4 A third option would be to disregard some elements, or all of the feedback received, in terms of the suggested boundary change(s). However, whilst it is acknowledged that the consultation document (to support the designation of ASCA) is essentially sound, the feedback provided from the local community is valuable and to ignore any of this feedback without sound reasons would call the value of the consultation process into question and potentially deliver reputational damage to the Council or be challenged at the final stage when the proposals are submitted to The Secretary of State for adoption.

5 Consultation Undertaken or Proposed

- 5.1 An eight-week public consultation was undertaken from 1st April 2026 to 26th May 2026.
- 5.2 The National Planning Guidance recommends that local trade and amenity organisations are consulted before an ASCA is made and submitted to the Secretary of State for consideration. The Council has a 'Statement of Community Involvement' (SCI) to guide consultation on planning matters.

This covers the following:

- Planning Policy documents (including the Local Plan and other Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs) and other guidance)
- Neighbourhood Plans
- Planning Applications

Whilst the designation of ASCA is not specifically included in the SCI, the principles set out for consulting on other documents will guide the review.

A press notice to advertise the consultation is also required together with specific notifications to Parish & Town Councils, Councillors, and specific groups with an interest in the document. In this case these groups would include local amenity groups and the Campaign for the Protection of Rural England (CPRE), the local Chamber of Commerce and the Advertising Association.

- 5.3 The following parties were notified in writing of the review and were invited to comment on it:

- Parish & Town Councils- only those where ASCA is proposed and the immediate neighbouring ones
- Councillors- Ward Councillors
- Residents and property owners within the proposed ASCA boundaries - for Faversham and Sheerness Blue Town the ones within ASCA and residents

touching the ASCA boundary. Entire CA for the rest - Newington High Street, Cellar Hill, Sheerness Mile town, Sittingbourne, Milton Regis and Queenborough.

- Local amenity groups - Newington History Group, Sittingbourne, Queenborough Society, Faversham Society, Sheppey Group
- Campaign for the Protection of Rural England (CPRE),
- The local Chamber of Commerce and
- The Advertising Association.
- KCC Highways and ecology
- Historic England

5.5 Hard copies of the consultation document were made available at relevant local libraries and the document was also available to view/download on-line via the Council's website for the duration of the public consultation period

5.6 A total of 20 consultation responses have been received. The officer response to this consultation feedback as summarised is attached as Appendix II.

Formal Consultation Summary: Proposed Designation of Areas of Special Control of Advertisements (ASCA)

5.7 Overview of Consultation

Public consultation was undertaken on the proposed designation of Areas of Special Control of Advertisements (ASCA) across eight Conservation Areas within Swale. A total of 20 representations were received from residents, businesses, elected members, CPRE, Queenborough Town Council and Faversham Town Council.

The consultation generated strong overall support for the introduction of ASCA controls. Respondents consistently recognised the need to protect the character and amenity of historic high streets, reduce visual clutter, and address the proliferation of oversized, illuminated, or poor-quality signage.

Only one formal objection was received.

5.8 Summary of Supportive Responses

5.8.1. General Support for ASCA Designation

The majority of respondents expressed clear support for the proposals. Themes included:

- Protection of heritage character
"I wholeheartedly agree with your proposed controls and locations."
"Reasonable but meaningful constraints... are essential if we are to preserve the global attraction of our heritage."
- Concerns about illuminated and moving LED signage, particularly in food outlets and betting shops.

“Large, illuminated screens with moving images... spoil the atmosphere of the street.”

- Desire for improved enforcement
“Maybe enforce existing laws first?”
“My only concern is the council’s ability to adequately enforce.”
- Recognition of long-term decline and the need for intervention
“So many wonderful buildings gone... I am all for preserving what is left.”

5.8.2. Support from Elected Members and Town Council

- **Queenborough Town Council** supported designation and requested the ASCA boundary be aligned with the full Conservation Area.
- **Ward Members** expressed strong support, emphasising the need for tools to preserve high street character.
- **Faversham Town Council** supports ASCA designation but considers the “blue area” insufficient, recommending extension to West Street and Standard Quay and highlighting several existing advertisements that already exceed proposed controls.

5.8.3. Requests for Additional Measures

Respondents suggested complementary actions, including:

- Curfews or time restrictions on illuminated signage.
- Use of empty shopfronts for community or local business advertising.
- Borough-wide action on illegal fly-posting and highway advertising.
- Stronger enforcement against non-compliant shopfronts in Conservation Areas.

5.9 Non-Supportive Responses

5.9.1. Formal Objection (Local Business, Milton Regis)

One representation raised a detailed objection to ASCA designation in Milton Regis, citing:

- **Socioeconomic challenges** and concerns that ASCA controls prioritise aesthetics over structural issues such as antisocial behaviour, vandalism, and long-term underinvestment.
- **Potential negative impact on business viability**, particularly for small independent retailers reliant on visibility and signage.
- **Risk of accelerating decline**, arguing that restrictions may deter new businesses and increase vacancy rates.
- **Preference for alternative approaches**, including targeted enforcement, grants for shopfront improvements, and public realm investment.

5.9.2. Minor Critical Comments (Not Formal Objections)

A small number of respondents questioned Council priorities or raised unrelated planning concerns. These did not oppose ASCA designation itself.

5.10 Requests for Boundary Amendments

- **Extension requests:** Queenborough Town Council and Cllr Whiting requested that the ASCA boundary be extended to cover the full Conservation Area.
- **Localised concerns:** Residents of Preston Street, Faversham, highlighted specific issues with illuminated betting shop screens and suggested the ASCA would help address these.
- **CPRE Kent position:** CPRE Kent supported the principle of designation and advised that ASCA boundaries should align with full Conservation Area boundaries, noting no areas should be excluded and questioning the rationale for limiting coverage to commercial frontages.

5.11 Officer Assessment

Having reviewed the representations received, officers consider that:

- The strong majority support provides a clear mandate to proceed with ASCA designation.
- The issues raised in the single objection can be addressed through clarification of the purpose and effect of ASCA controls, which regulate advertisements but do not restrict business operation or prevent appropriate signage.
- ASCA designation will support regeneration, not hinder it, by improving visual amenity, reinforcing heritage value, and creating a more attractive environment for investment.
- Concerns about enforcement are acknowledged; however, ASCA designation provides additional statutory tools that strengthen the Council's ability to act proportionately and consistently.
- Requests for boundary extensions have been considered on an evidence-led basis, ensuring that ASCA coverage remains targeted, justified, and defensible.

5.12 Conclusion

The consultation demonstrates clear and consistent public, member, and stakeholder support for ASCA designation across the proposed areas. The single objection does not outweigh the substantial benefits identified, nor the strong alignment with national policy, local heritage objectives, and the Council's wider place-making strategy.

Officers therefore recommend that the Council proceeds with the designation process, including the making of an Order for submission to the Secretary of State for confirmation and extends the ASCA to encompass the full extent of the Conservation Areas at Cellar Hill & Greenstreet, Newington High Street, Queenborough and Milton Regis, in accordance with the accompanying Officer Response and Recommendations Table.

6 Implications

Issue	Implications
Corporate Plan	The proposed designation of an Area of Special Control of Advertisements would support the Economy priority from the Corporate Plan: <i>'To develop the borough's second Heritage Action Plan that reflects in-house and partnership capacity, to support and promote our outstanding assets.'</i>
Financial, Resource and Property	Managing envisaged increase in advertisement consent applications due to ASCA designation, may have financial and resource implications for the council. The council can manage increased workload by combining process efficiencies, strategic staffing, improved applicant guidance, recovery of discretionary costs, and data-driven monitoring. Good communication and digitisation will significantly reduce the long-term resource burden. The current process of designating ASCA is being managed by the Heritage Officer using in-house resources with no additional funding.
Legal, Statutory and Procurement	Regulation 20(1) requires that every local planning authority shall from time to time consider whether any part or additional part of its area should be designated as an area of special control. Regulation 20(2) states that an area of special control shall be designated by an area of special control Order made by the local planning authority and approved by the Secretary of State, in accordance with the provisions of Schedule 5 of the Regulations. Para 141 of the NPPF states, <i>'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'</i> The Town and Country Planning Act 1990 (Section 221(3)) sets out two criteria for the designation of an ASCA: that it is a rural area; or an area which appears to the Secretary of State to require special protection on grounds of amenity. The Town and Country Planning (Control of Advertisement) (England) Regulations set out the legal provisions relating to the review of ASCA's.

	Section 20 of the Regulations requires LPAs to review an ASCA at least every five years to see if it should be revoked or modified. Schedule 5 of the Regulations sets out the legal procedures for designating or modifying an ASCA. Final Order (Appendix V) to be reviewed and confirmed by Legal services.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	One of the three dimensions of sustainable development is its environmental role: contributing to protecting and enhancing our natural, built and historic environment. Designating an ASCA is envisaged as a beneficial tool to better manage deteriorating historic significance of the Conservation Areas with a commercial centre (High Street) and further facilitate removal of a number of these Conservation Areas from Historic England's Heritage at Risk Register.
Health and Wellbeing	The health and wellbeing aspects of interaction with heritage assets and heritage related projects are referenced in the adopted Heritage Strategy which underpins this designating work.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.
Local Government Reorganisation	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Updated ASCA document- Statement of reasons (post public consultation- to be submitted to SoS)
- Appendix II: Consultation response table

- Appendix III: Reasons for extending the ASCA designation to cover the entire Conservation Areas.
- Appendix IV: Reasons for not extending the ASCA designation to cover the entire Conservation Areas.
- Appendix V: Draft Orders to be submitted to Secretary of State

8 Background Papers

- [A Heritage Strategy for Swale 2020-2032](#)
- Public consultation document for Designating Area of Special Control of Advertisements (ASCA)