

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AB/128/25/A

LOCATION: Land at Ford Road  
Arundel

PROPOSAL: Proposed erection of 8 No. signs and 4 No. flags.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	This application seeks advertisement consent for the erection of 8 No. signs and 4 No. flags.
SITE CHARACTERISTICS	The site is a new residential housing development.
CHARACTER OF LOCALITY	This site is located on the edge of Arundel. There are existing residential areas to the east and agricultural land to the north, south and west.

**RELEVANT SITE HISTORY**

AB/135/20/OUT	Outline application with some matters reserved (except for access) for the development of 90 dwellings & associated amenity land, including land allocated for a community building & for a community allotment. This application affects the setting of listed buildings & affects the character & appearance of the Arundel Conservation Area.	App Cond with S106 26-11-21
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Planning history noted.

**REPRESENTATIONS**

Arundel Town Council - No response received.

3 No. objections were received from nearby occupiers raising concerns that:

- The number and size of the signs are excessive
- Signs are not in keeping with the character of the area and heritage of Arundel
- The signs are a distraction to motorists
- The signs were erected without permission
- Previous signage was more appropriate
- The signs appear unattractive when viewed from the back

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted. The visual impact of the signs and their impact on highways safety are considered in the conclusions.

**CONSULTATION RESPONSES RECEIVED:**

None.

<b>POLICY CONTEXT</b>
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Designation applicable to site:  
Area of Special Control (Adverts)

**DEVELOPMENT PLAN POLICIES****PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

<b>DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND</b>
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Regulation 3(1)(a)(b), 3(2)(a)(b) and 4(3) of the Town and Country Planning (Control of Advertisements) Regulations 2007 states:-

"3(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account -

- (a) The provision of the development plan, so far as they are material; and
- (b) Any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b) -

- (a) Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
- (b) Factors relevant to public safety include -
  - (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (ii) Whether the display of the advertisement in question is likely to obscure or hinder the ready interpretation of any traffic sign, railway sign or aid to navigation by water or air;
  - (iii) Whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

4(3) In determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.

<b>OTHER MATERIAL CONSIDERATIONS</b>
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There are no other material considerations to be weighed in the balance with the Development Plan.

<b>CONCLUSIONS</b>
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**PRINCIPLE**

Paragraph 141 of the National Planning Policy Framework (NPPF) states that 'advertisement should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. The display of outdoor advertisements can only be controlled in the interests of amenity and

public safety. The control system in place for advertising is concerned with the visual effect on its surroundings.

#### **DESIGN AND VISUAL AMENITY**

This application seeks retrospective advertisement consent for the installation of 8 No. signs which are on the access road to the dwellings, and 4 No. flags close to the entrance to the site. The site slopes gently upwards away from the road, and the signs which are located on the access road are visible from the main road. The 8 No. signs on the access road approaching the marketing suite measure 2.3m by 2.3m and have a maximum height of 3.3m. Although objectors have questioned the necessity of the number of signs on the access road, the signs are of a reasonable size and are set well back from the main road. The dark colour palette also lessens their visual impact. The signs are not an overly prominent feature of the street scene in this location, and do not harm the visual amenity of the site. Although the signs are not designed to be viewed from the back, the signs are not positioned so close to residential dwellings that they result in a significant loss of outlook or visual amenity. The signs are also not designed to be permanent features, and would be removed following the marketing period.

The flags measure 5.2m high and are 0.9m wide. The flags are typical of advertisements for new residential development, and are not unduly harmful. Both the signs and flags are temporary advertisements, and would be removed on or before 1 August 2027.

The adverts do not harm the character or visual amenity of the area in accordance with para 141 of the National Planning Policy Framework.

#### **PUBLIC SAFETY**

In terms of public safety, it has to be considered whether the advertisement or its location is likely to be so distracting or so confusing, that it creates a hazard, or endangers people in the vicinity who are taking reasonable care for their own, or others, safety. The signs are set well back from Ford Road by approx. 50m and are non-illuminated. The flags are also set back from the main road, are not excessive in number and are typical of advertisement for new residential development. The signs would not cause undue distraction or pose a risk to public safety.

#### **SUMMARY**

In the absence of harm to amenity or public safety in accordance with the NPPF, it is recommended that the application be approved, subject to the conditions set out below.

<b>HUMAN RIGHTS ACT</b>
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The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

<b>DUTY UNDER THE EQUALITIES ACT 2010</b>
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In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

<b>RECOMMENDATION</b>
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**APPROVE CONDITIONALLY**

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

- Site location plan 30175A / 01
- Site plan
- Elevations, visuals and materials

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

- 2 The advertisement hoardings hereby permitted shall be removed on or before the expiration of the period ending on 1 August 2027.

Reason: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1 and paragraph 141 of the NPPF.

- 3 No advertisement shall be sited or displayed so as to-
1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  3. Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

- 4 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.

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