

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AB/25/18/A

LOCATION: The Swan Hotel
27-29 High Street
Arundel
BN18 9AG

PROPOSAL: Various internally & externally illuminated signs on various elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The following advertisements are proposed;

1) Signs A1 & A2 - 2 no. illuminated fascia signs of the house name 'The Swan' illuminated from above by 2 LED floodlights (replacing existing floodlights) at a luminance level of 118 candelas. The signs (signwritten onto the building) would be 0.8 metres high by 1.6 metres at a first floor height of 3.45 metres. (This sign replaces existing signs of a similar size and appearance).

2) Sign B - Signs B - 2 no. Fullers logo signs on the south and east elevations on the two main frontages of the Public House/Hotel on River Road and High Street. The signs would be at first floor level and would be illuminated by LED flood lights from above with a luminance level of 108.52 candelas. The logo signs would be at first floor level at a height of 4.7 metres and have dimensions of 0.73 metres in height and 1.2 metres in width. (This sign replaces existing signs of a similar size and appearance).

3) Sign C - An illuminated hanging sign lit from above by 2 LED trough lights (replacing existing lights) with a luminance level of 132.4 candelas. The sign would be metres high and 0.9 metres wide at a height of 4 metres from the ground and would be hung from the existing ornate corner wall bracket. The original hanging sign would be retained with an added panel measuring 900 mm by 200 mm in height reading 'beautiful bedrooms'.

4) Sign D - 1 new handwritten sign measuring 1.2 mm by 1.18 in Hague blue paint applied directly to the wall. (new sign)

4) Signs E - 2 Brass menu cases with internal LED illumination replacing existing units (replacing existing).

5) Signs F - 8 off brass lanterns on cast iron wall brackets with

	LED lamp illumination.(replacing existing).
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	Public house faces directly onto the pavement.
SITE CHARACTERISTICS	A two storey public house which is a Listed Building and within a Conservation Area.
CHARACTER OF LOCALITY	Arundel Town Centre near the river and vehicle bridge crossing.

RELEVANT SITE HISTORY

AB/100/12/A	Various replacement externally & internally illuminated & non-illuminated signage & lighting to front & side elevations	ApproveConditionally 04-12-12
AB/101/12/L	Application for Listed Building Consent to redecorate exterior, replace existing signwork and lighting with new.	ApproveConditionally 20-09-12

AB/100/12/A. Previous application for advertisements which the current application seeks to upgrade.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Arundel Town Council

Arundel Town Council's further Comments:

They provided the following further comments following consultation re: amended plans

'The Committee maintain their previous objection that the additional illumination would result in excessive light spillage that would detract from the character and appearance of this part of the Conservation Area. As to the revision, the details on the amended plans are so poor that members could not differentiate between the original and substituted colour pallets and signage dimensions

Arundel Town Council initial consultation response: Object to this application. Their comments are as follows:

'The Committee considered that the additional illumination would result in excessive light spillage that would detract from the character and appearance of this part of the Conservation Area.'

COMMENTS ON REPRESENTATIONS RECEIVED:

N.B. Officers note that although the correct plans were not uploaded to the councils website following re-consultation, the Parish Council's Objection whereby:

'.....additional illumination would result in excessive light spillage....'

has been taken into account. Amended plans have been submitted, following comments from the Council's Conservation Officer, re: the accompanying Listed Building application ref: AB/26/18/L whereby they consider that amongst other things :

'with regard to the lighting , it is considered that the current level of lighting be sufficient to illuminate signage, and that there be no net increase....'

Officers note that the amended set of plans, Issue 7, do not seek to add any additional signs or alter the colours of the signs or their siting or the application property from that shown on earlier plans e.g. the Issue 6 set of plans. As such, it is considered that as amended Plans Issue 7 only seek to remove some of the previously proposed lighting and as such advertisement consent is warranted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:

LB GRADE II
CONS AREA
CLASS C ROAD
NO PUBLIC SEWER

DEVELOPMENT PLAN POLICES

HERDM1	HER DM1 Listed Buildings
HERDM3	HER DM3 Conservation Areas
HERSP1	HER SP1 The Historic Environment
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD2	Conservation Areas
SPD5	Advertisements
ADS	The Arundel Design Statement by Arundel Town Council

POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011-2013, West Sussex County Council's

Waste and Minerals Plans and Made Neighbourhood Development Plans.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Aldingbourne; Angmering; Arundel; Barnham & Eastergate; Bersted; Bognor Regis; Clymping; East Preston; Felpham; Ferring; Kingston; Littlehampton; Rustington; Walberton; Yapton.

Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

No policies in the Arundel Neighbourhood Plan are relevant to this application.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 3.1 of the Councils adopted Supplementary Planning Guidance for adverts confirms that '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 of an advertisement.

VISUAL AMENITY

As aforementioned, it should be noted that following comments from the conservation Officer, re: the accompanying Listed Building application ref: AB/26/18/L, changes to the original scheme have been made with particular regard to the level of proposed lighting. From an assessment of the amended plans it is noted that a number of the previously proposed LED lights have been removed to reduce the number of lights.

From an assessment of the signs, as shown on amended Plans set Issue 7, it is considered that they are acceptable subject to appropriate illuminance levels. A condition regarding the illuminance levels would be imposed upon any grant of Advertisement Consent. They are of an acceptable design and would preserve the appearance of the street scene and Conservation Area.

There are residential properties facing the signage however as the status quo is not significantly different than currently exists.

The signs would be illuminated to an acceptable level. See below, the PUBLIC/HIGHWAY SAFETY section, for a further assessment regarding luminance levels.

Given the above considerations, the proposal is not deemed to adversely impact the visual amenity of the Conservation Area.

PUBLIC/HIGHWAY SAFETY

In the evaluation of the signs' consideration has been given to its impact upon public safety, it is vital to consider whether the advertisement itself 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.

Having regard to the Wessex County Council Highways Illuminated Sign Standing Advice, the signs would be within Arundel an area classified as Zone E2 (low district brightness areas) having regard to the Institute of Lighting Engineers' Technical Report Number 5: Brightness of Illuminated Advertisements (2001). Within Zones E2 signs up to a 10.00 metres squared should have a max luminance of 600 cd/m2, while signs over metres squared should have a max luminance of 300 cd/m2.

From an assessment of the proposed luminance levels of the proposed all signs/lights would comply with

the levels set out within the Wessex County Council Highways Illuminated Sign Standing Advice. Therefore, the proposed signs/lights are considered to be of an acceptable luminance such that would not result in drivers or other road users being dazzled.

As such, the location and scale of the signs is not considered to post a hazard to public safety and would comply with standing highways safety advice and conditions recommended by Highways England.

CONCLUSION

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

HUMAN RIGHTS ACT

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. Number 5

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

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.

RECOMMENDATION

APPROVE CONDITIONALLY

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

Dwg.no. 25956pl01 - 1 of 8 - Signage Colour Pallet - Issue 7
Dwg.no. 25956pl01 - 2 of 8 - Signage Specification - Issue 7
Dwg.no. 25956pl01 - 3 of 8 - Illustrative Image (Proposed Signage Night Shot) - Issue 7
Dwg.no. 25956pl01 - 4 of 8 - Illustrative Image (Proposed signage Day Shot) - Issue 7
Dwg.no. 25956pl01 - 5 of 8 - Photo of Existing Signage - Issue 7
Dwg.no. 25956pl01 - 6 of 8 - Proposed Elevations - Issue 7
Dwg.no. 25956pl01 - 7 of 8 - Existing Elevations - Issue 7

Dwg.no. 25956pl01 - 8 of 8 - Block Plan - Issue 7

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

- 2 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.

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

- 3 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; or
 - (c) 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 & 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 & Country Planning (Control of Advertisements) Regulations 2007.

- 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.

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

- 6 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.

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

- 7 The intensity of illumination of the proposed signs shall not exceed;

Fascia sign - 118.43 candelas.

Hanging sign - 132.4 candelas.

Sign B - 108.52 candelas

Sign E - 118.6 candelas.

Sign F - 50.74 candelas.

Reason:

In the interests of the visual amenities of the locality in accordance with policy D DM1 of the Arun District Local Plan.

- 8 The illumination of the proposed sign shall be of a non-intermittent type.

Reason:

In the interests of the visual amenities of the locality in accordance with D DM1 of the Arun District Local Plan.

- 9 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.