

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AB/47/22/A

LOCATION: 2 Maltravers Street
Arundel
BN18 9AP

PROPOSAL: 1 No externally illuminated hanging sign & 1 No externally illuminated informational sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION This application seeks to erect 1 No. externally illuminated hanging sign & 1 No. externally illuminated informational sign to the front elevation of the building.

SITE CHARACTERISTICS The host property is a two storey Grade 2 Listed Building within a terrace of dwellings on Maltravers Street in the Arundel Town Centre.

CHARACTER OF LOCALITY The site is located within the Arundel Town Centre, surrounded by a mixture of use classes, primarily retail.

None.

REPRESENTATIONS

Arundel Town Council - No Objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee (CAAC) - No Objection:

- Modest in scale and of an appropriate design.
- No harm to the Conservation Area.

COMMENTS ON CONSULTATION RESPONSES:

Noted. Impacts on the Conservation Area are noted in the relevant PL application associated with this proposal.

POLICY CONTEXT

Conservation Area.

Grade 2 Listed Building.

Built-Up Area Boundary.

2km Buffer for Site of Special Scientific Interest.

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

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

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 be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Arundel has a made neighbourhood Plan however none of the policies relate to this application.

Paragraph 136 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'. Paragraph 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.

DESIGN AND VISUAL AMENITY

The hanging sign is to be 0.7m in width and 0.4m in height, hanging 2.4m above ground level approx. 0.6m to the left (West) of the front door. The informational sign is to be 0.2m in width, 0.15m in height and positioned 1.4m above ground level just to the right (East) of the front door. The scale of both the hanging sign and information sign are modest and in appropriate positions. These remain visually subservient to the host building.

The hanging sign is to be made of wood and coloured with Farrow & Ball "Railings" with off-white text. The informative sign is to be made of Anthracite Aluminium with black text. These signs consist of both appropriate materials and coloration. These are visually integrated with the host building.

They are both to be statically illuminated. The hanging sign is to be illuminated by a small light behind a support bracket above and to the right of the front door. The information sign is to feature a small light just above the sign. Both are sited appropriately.

Given the scale and modest nature of these signs, there will be no adverse visual impact on the building or the street scene. There will also be no adverse impacts by way of overbearing, overshadowing, or overlooking on any neighbouring properties.

The proposal is compliant with relevant Development Plan policy D DM4(a)(b)(c)(e) of the Arun Local Plan.

PUBLIC SAFETY

In terms of public safety, it has to be considered 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.

Illuminance levels of the hanging sign and informative sign are to be 500 cd/sqm and 300 cd/sqm respectively. Both of which are appropriate for a town centre area. The scale, coloration, illuminance, and positioning of these signs are appropriate, and they are not a hazard to public safety.

SUMMARY

In the absence of harm to amenity or public safety and compliance with relevant Development Plan policies, 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.

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:

- PROPOSED ELEVATIONS AND SIDE VIEW (Dwg No. 121)

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with paragraph 136 NPPF.

- 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 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.
- 6 The intensity of illumination of the proposed hanging sign and information sign shall not exceed 500cd/sqm & 300cd/sqm respectively.
- Reason: In the interests of the visual amenities of the locality and public safety in accordance with paragraph 136 of the NPPF.
- 7 The illumination of the proposed sign shall be of a non-intermittent type.
- Reason: For the avoidance of doubt and in the interests of the visual amenities of the locality in accordance with D DM1 of the Arun Local Plan.