Recommendation Report for Consent to Display an Advertisement(s)

REF NO: **AB/48/13/A**

LOCATION: Lloyds TSB Bank Plc
14/16 High Street
Arundel

PROPOSAL: 1 No externally illuminated hanging sign, 1 No non-illuminated ATM header sign, 1 No non-illuminated nameplate, 2 No non illuminated built-up letters block and 1 No reverse applied vinyl sign all to Southwest elevation (resubmission following AB/15/13/A)

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The proposal involves the replacement of existing signage and replacement with new advertisements, in similar positions, the main material change being the use of illumination for the projecting sign.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The building faces directly onto the pavement.
SITE CHARACTERISTICS	The site is occupied by a terraced 2½-storey building that has a ground floor timber framed shop front, including timber fascia and bay windows over stone bases. There is an array of existing signage on the shop front relating to its use as a bank including non-illuminated fascia lettering and logo's, a non-illuminated projecting sign, a panel mounted sign and an illuminated ATM surround. The floors above are occupied by residential accommodation and the elevation walls here are finished with white painted pebbledash render between stained timber framework. The building has been recognised by the Local Planning Authority as possessing special character.
CHARACTER OF LOCALITY	The site is located within the historic town centre of Arundel, which falls within a designated Conservation Area. Surrounding buildings exhibit a mixture of designs and scales, many are occupied by shops or other commercial uses at ground floor level and advertisements are a common feature within the street scene. These advertisements are generally simple and uncluttered with a lack of garish colours or overly large lettering. Illumination of signage is not common and, where present, it is predominantly in the form of externally illuminated

projecting signs.

RELEVANT SITE HISTORY

AB/114/98/A	Replacement of fascia and projecting signs	Refused 04-02-1999
AB/50/99/A	Replacement of fascia and projecting signs (re-submission of AB/114/98/A)	Apprvd/Cond ADV 09-06-1999
AB/34/03/A	Internally illuminated ATM box sign.	Apprvd/Cond ADV 11-04-2003
AB/15/13/A	1 No illuminated hanging sign, 1 No illuminated ATM sign, 1 No non illuminated nameplate, 2 No face illuminated built up letters block & reverse applied vinyl	Withdrawn 16-04-2013

REPRESENTATIONS

Representations received:

Arundel Town Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Conservation Officer

Consultations responses received:

CONSERVATION AREA ADVISORY COMMITTEE: Objection. The duplication of the wording 'Lloyds Bank' gives the appearance of clutter. Suggest the left hand sign only remains. No other comments.

Comments on Consultation responses:

Noted. It is considered the proposed scheme is appropriate for the double width of the shop frontage and produces a balanced appearance that would be lost if the lettering were to restricted to the left side only.

POLICY CONTEXT

Within Conservation Area
Within Built-Up Area
Class C Road
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN33	Light Pollution

AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4	Supplementary Planning Guidance for Advertisements.
ADS	The Arundel Design Statement by Arundel Town Council

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity, aural amenity, public safety, quality of the environment and impact upon the character of the local area, with particualr weight attached to the fact that the immediate surroundings are part of a designated Conservation Area.

The Development Plan consists of the Arun District Local Plan.

It should be noted that the Arun District Local Plan was adopted in 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight but, because it predates 2004, a reduced weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

The emerging local plan has recently been approved by the Council and is therefore a material consideration in the determination of this planning application. Whilst it has not been formally adopted due weight has been given to its policies in terms of the decision making process at this stage.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that decisions made under the Regulations are made only in the interests of amenity and public safety.

Section 38(6) of the Planning and Compulsory Purchase Act 2004, does not apply to advertisement applications.

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

The proposal follows a previous application AB/15/13/A, which was withdrawn by the applicant. The Local Planning Authority had been minded to refuse the application as it involved the introduction of an internally illuminated projecting sign that would have been wholly out of keeping

with the character and ambiance of the historic Cosnervation Area in which the site is located.

The main alteration within the revised scheme is the replacement of the internally illuminated projecting sign with an externally illuminated panel projecting sign. It is considered that this would appear more in context with itss surroundings, where there are other externally illuminated signs present, and would appear far less garish and modern than the internally illuminated sign originally proposed. It is also noted that the Arundel Design Statement maintains that internally illuminated sign should not be permitted but that externally illumination may be acceptable. The statement suggests spotlights are used, the proposal will utilise LED downlighting and it is considered that this will produce a similar effect whilst saving energy.

The internally illuminated ATM header sign proposed in the existing application has also been substituted for a non-illuminated example.

The site is located in Zone E2, as designated in The Institute of Lighting Engineers' Technical Report Number 5: Brightness of Illuminated Advertisements (2001), this being classed as a low district brightness area. The recommended maximum luminance for a sign of up to 10 m^2 in this zone is 600 cd/m^2, the proposed sign will be illuminated at 540 cd/m^2 and, as such, is considered to be at an appropriate intensity for its location. It is also considered that, whilst positioned alongside the highway, it is not close to any difficult junctions where it may cause a distraction and, in any case, its height above the highway and its modest size and levels of luminance would prevent it from appearing distractive.

It is noted that the illuminated sign will be positioned below windows belonging to residential accommodation. However, the lights will be angles downwards and, as such, it is not considered they will cause light spillage into these windows that would detract from the amenities of the occupants of the property.

None of the distinctive features of the timber framed shop front will be obscured by the proposed signage. It is considered that the scheme as a whole is simple and uncluttered and, as with the existing signage, will respect the setting of the building of special character on which it is to be installed and the wider conservation area.

It is therefore recommended that Advertisement Consent is granted, subject to the following conditions.

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 for 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 it has been determined that the development would result in a neutral impact 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).

As such, no specific mitigation measures will be required.

RECOMMENDATION

APPROVE CONDITIONALLY

1 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.

2 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.

3 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.

4 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.

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 sign shall not exceed 540 cd/m²

Reason: In the interests of the visual amenities of the locality in accordance with policies GEN7, GEN33 of the Arun District Local Plan.

7 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 policy GEN7 of the Arun District Local Plan.

8 The advertisements hereby permitted shall not be displayed before the existing projecting sign and fascia lettering have been removed.

Reason: To avoid an excessive display of advertising material in the interests of the appearance of the locality in accordance with policy GEN7 of the Arun District Local Plan.

9 INFORMATIVE: Before the commencement of any operation, the applicant is advised to contact West Sussex County Council (Tel no: 01243 642105 or email street.works@westsussex.gov.uk) to obtain a Section 177 Licence under the Highways Act 1980 to cover any structure that overhangs the highway.