

REPORT UPDATE

Application No: AB/57/13/A

Reason for the Update / Changes

Reason for Update/Changes: Addition of informative clarifying that any approval given is for non-illuminated advertising, as agreed with the applicant.

Note: The changes made are attached on the updated recommendation sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

AB/57/13/A

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AB/57/13/A

LOCATION: Martin McColls
5 High Street
Arundel

PROPOSAL: 2 No. fascia signs to East & South elevations

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The fascia signage has already been installed. Accompanying plans also show window advertisements on the shop front, these are not under consideration within this application as they are subject to deemed consent under Class 12 of the Town And Country Planning (Control Of Advertisements) (England) Regulations 2007.
SITE AREA	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	The building faces directly onto the public way.
SITE CHARACTERISTICS	The site is occupied by a two-storey end of terrace building which has red brick elevations at ground floor level, with stained timber framing and painted render above. The roof is tiled and hipped. The ground floor houses a newsagents and consists of a largely glazed shop front, with full height advertisements installed on the windows. There is non-illuminated fascia advertising in place above the shop windows. The building has been identified by the Local Planning Authority as possessing special character.

CHARACTER OF LOCALITY

The site is located within Arundel's principal shopping area and is also within a designated Conservation Area. The is a high density arrangement of buildings of various designs and sizes within the surrounding area, the majority of which have shop fronts and house commercial uses at ground floor level. Associated fascia and projecting signage is a common feature at ground floor level. Residential accommodation is largely restricted to upper floors of buildings.

RELEVANT SITE HISTORY

AB/60/90	Change of shop front fronting High Street	Approve 04-07-1990
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REPRESENTATIONS

Representations received:

Arundel Town Council

Strong Objection: The adverts are not in keeping with a Conservation Area in a historic market town.

Second Consultation following amendment (removal of illumination): Serious objection to the fascia name sign as it is not in keeping with the building nor for the historic area that it is in, which requires a subtle and environment conscious approach to signage.

Three letters of objection: Not in keeping with such a prominent position in the town, it is an eyesore as you come over the bridge. It is against all Arundel Planning Policy. The applicants should be supported and guided as to what they should do.

Comments on Representations received:

Noted. It is considered that the design of the fascia board is clean, simple and sympathetic towards the appearance of the building as well as the wider surrounding Conservation Area. It should be emphasised that the application relates to the fascia signage alone and not the window adverts that are also shown on the accompanying plans and which benefit from deemed consent.

CONSULTATIONS

WSCC Strategic Planning
Conservation Officer

Consultations responses received:

None.

Comments on Consultation responses:

None.

POLICY CONTEXT

Within Built-Up Area
Within Conservation Area

Arundel Shopping Frontage
Building of Special Character

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN2	Built-up Area Boundary
	GEN7	The Form of New Development
	GEN22	Buildings or Structures of Character
	AREA2	Conservation Areas

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
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SUPPLEMENTARY POLICY GUIDANCE

ADS	The Arundel Design Statement by Arundel Town Council
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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:

The site is located within the built-up area where the principle of development is acceptable,

report

subject to accordance with relevant general planning criteria contained within Arun District Local Plan Policy GEN7 and the National Planning Policy Framework (NPPF) which seek to prevent development that would have an adverse impact upon visual and residential amenities. Additional scrutiny will be given towards the impact the development has had upon the historic character and appearance of the Conservation Area in which they are sited and upon the building on which they are mounted, which has been identified by the Local Planning Authority as possessing special character. These further considerations are set out in Arun District Local Plan policies AREA2 and GEN22 respectively.

ORIGINAL SCHEME:

The application originally submitted included provision of external illumination for the fascia signage. It was felt that illumination of fascia signs of this size would be unacceptable due to the historic nature of the town centre, which is a designated conservation area, reflected by the lack of illuminated fascia signage on neighbouring shop fronts. The applicant was informed of these concerns and, subsequently, removed the illuminated element of the scheme.

VISUAL AMENITY:

The fascia signage is already in-situ. It is considered to be of a simple design and, by virtue of this, it does not appear as a garish or over prominent feature within the Conservation Area nor has it detracted from the appearance and special character of the building to which it is attached. The signage clearly integrates with the general pattern of non-illuminated fascia advertisements that are prevalent on the shop fronts of surrounding buildings.

RESIDENTIAL AMENITY:

The signage is not in a position where it results in any unacceptable overbearing or overshadowing impact towards neighbouring residents. There will be no means of illumination and, as such, there are no concerns relating to light pollution.

SUMMARY:

It is considered that the observations set out within this conclusion demonstrate that the proposal would not result in any unacceptable adverse impact upon either the character and appearance of the surrounding area or the amenities and neighbouring residents and is, therefore, in compliance with relevant Planning Policy.

It is therefore recommended that the application is approved, 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 it has resulted 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 are 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 INFORMATIVE: This approval is granted on the basis that the advertisements are not illuminated, as agreed by the applicant and confirmed by E-mail received on 23rd of July 2013.

- 7 INFORMATIVE: Members at Development Control Committee on 28th August wished to express their concern over the inappropriate advertising on the shop front which was considered to have a negative impact on the Arundel Conservation Area.