

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AB/59/21/A

LOCATION: 61 High Street  
Arundel  
BN18 9AJ

PROPOSAL: Installation of 1 x halo illuminated sign

## SITE AND SURROUNDINGS

|                            |                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| DESCRIPTION OF APPLICATION | Installation of a halo illuminated sign of a maximum size of 1.8m in length and 0.44m in height.                                                                                                                                                                                                                                                                                                                    |
| TOPOGRAPHY                 | Slopping.                                                                                                                                                                                                                                                                                                                                                                                                           |
| BOUNDARY TREATMENT         | Listed railings to front of building, otherwise property abuts street.                                                                                                                                                                                                                                                                                                                                              |
| SITE CHARACTERISTICS       | Primary shopping frontage with Arundel. Grade II*, C18 Town House of red brick with rubbed brick voussoirs. It is 3 Storeys with a basement level, under a hipped tiled roof. The front elevation has 5 ranges of sash windows with glazing bars, as well as a doorway with unfluted Roman Doric columns, dentilled pediment, semi-circular fanlight and 6-panelled door.                                           |
| CHARACTER OF LOCALITY      | The site is in the Arundel Conservation area with a number of other listed buildings in the immediate local area. Buildings front directly on to the pavement and form a cohesive, attractive group. Further, this part of the conservation area is characterised by historic shop frontages and other commercial uses. As such there are many signs existing within the street scene of varying designs and scale. |

## RELEVANT SITE HISTORY

|            |                                                                                                                                                                                                                                                                                                                                      |                                  |
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| AB/55/21/L | Listed building consent for the removal of the built-in seating, removal of the internal false timber cladding, lowering of height of food service hatch, installation of fold-down access ramp to basement steps, overlay of WC floor materials with single-ply membrane & 1 No. illuminated halo advertisement on front elevation. | ApproveConditionally<br>21-06-21 |
| AB/27/19/A | 1 No. set of halo illuminated built up letters on front elevation.                                                                                                                                                                                                                                                                   | ApproveConditionally<br>07-05-19 |

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| AB/28/19/L | Listed building consent for the erection of 1 No. set of Halo illuminated built up letter advertisements.                                                                                                                 | ApproveConditionally<br>07-05-19 |
| AB/40/11/L | Application for Listed Building consent for installation of signage comprising 1 no. set of internally illuminated halo fascia text, 1 no. externally illuminated projection sign & 1 no. internally illuminated menu box | ApproveConditionally<br>13-07-11 |
| AB/37/11/A | 1 no. set of internally illuminated halo fascia text, 1 no. externally illuminated projection sign & 1 no. internally illuminated menu box                                                                                | ApproveConditionally<br>13-07-11 |

Noted, previous illuminated signage to building.

## REPRESENTATIONS

Arundel Town Council - Objection on the ground of the sign is halo lit.

ADC Area Advisory Panel - No Objection, sign is modest in scale with an appropriate method of illumination and will not adversely effect the conservation area.

## COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

## CONSULTATION RESPONSES RECEIVED:

None

## COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

## POLICY CONTEXT

Designation applicable to site:

Listed Building

Conservation Area

Town Centre Retail Area

2km SSSI Buffer Zone

## DEVELOPMENT PLAN POLICIES

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

HERDM1 HER DM1 Listed Buildings

HERDM3 HER DM3 Conservation Areas

**PLANNING POLICY GUIDANCE:**

|      |                                     |
|------|-------------------------------------|
| NPPF | National Planning Policy Framework  |
| NPPG | National Planning Practice Guidance |

**SUPPLEMENTARY POLICY GUIDANCE:**

|      |                |
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| SPD5 | Advertisements |
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| <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.

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| <b>OTHER MATERIAL CONSIDERATIONS</b> |
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It is considered that there are/are no other material considerations to be weighed in the balance with the Development Plan.

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

Policies HER DM1 and HER DM3 relate to listed buildings and conservation areas respectively and state that proposals must protect and if possible enhance the character, qualities and special interest of the buildings and the setting of each.

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

Paragraph 132 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 Town Council objected on grounds of the halo illumination although they have made no comment on colour of the sign. ADC AAP have no objection and noted although bright the small scale of the signage would not adversely effect the conservation area. Given the extent of advertisements which have obtained approval on the site, including a halo lit sign in 2019, and in the immediate vicinity the design and location of the proposed advert is not considered that to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected.

#### **PUBLIC SAFETY**

In the evaluation of the sign 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. The location and scale of the proposed advertisements are not considered to pose a hazard to public safety.

#### **LISTED BUILDING AND CONSERVATION AREA**

The Conservation Officer commented the application including the works for the illuminated sign would cause less than substantial harm to the listed build and the setting of the conservation area.

If there is less than substantial harm on the heritage asset, it is necessary under para 196 of the NPPF to weigh this against the public benefit of the proposal. It is considered that the public benefit of the continued use of the site as a restaurant outweighs the any harm identified.

#### **SUMMARY**

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.

#### **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.

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| <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;

- Sussex Sign Company signage details dated 28th April 2021
- Planning and Heritage Statement
- 1033/05A Location and Block Plan

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with paragraph 132 NPPF.

- 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 The intensity of illumination of the proposed sign shall not exceed 375 candelas per m2.

Reason: In the interests of the visual amenities of the locality and public safety in accordance with paragraph 132 of the NPPF.