

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AL/20/25/A

LOCATION: Shop Around The Clock and Aldingbourne Post Office  
Westergate Street  
Westergate  
PO20 3QL

PROPOSAL: Installation of various signage.

**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is a large, flat roofed, commercial building with hardstanding to the front. The site is unoccupied, but was formerly a shop/post office.
CHARACTER OF LOCALITY	The site is at the junction of Westergate Street and Hook Lane and within a residential area.

**RELEVANT SITE HISTORY**

AL/92/20/A	1 No. internally illuminated fascia logo, 2 No. non illuminated fascia signs, 1 No. wall mounted banner frame & 1 No. internally illuminated (logo only) totem sign.	ApproveConditionally 11-01-21
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This application approved the installation of various signage on the site. The application is similar to that already approved, with some additional wall mounted banner frames.

**REPRESENTATIONS**

Aldingbourne Parish Council - No objection.

One letter of support was received stating that the Co-Op would be positive addition to the area.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted. This application relates only to the proposed adverts, and does not consider the proposed use.

**DEVELOPMENT PLAN POLICIES**

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

DDM1 D DM1 Aspects of form and design quality

**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**

There are no other material considerations to be weighed in the balance with the Development Plan.

**CONCLUSIONS****PRINCIPLE**

Paragraph 141 of the National Planning Policy Framework (NPPF) states that 'the quality and character of places can suffer when advertisements are poorly sited and designed' and that 'advertisement should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. These two considerations are addressed below.

**VISUAL AMENITY**

The signs are on the east elevation, with an illuminated totem sign and four banner frames to the front of the site. The proposed signage to be affixed to the building includes illuminated and non-illuminated lettering, which will have a maximum illuminance level of 300 cd/sqm. This illuminance level is considered acceptable, particularly given the small total area of the lettering. The remainder of the signage on the building includes window graphics and other small notices, all of which are appropriate for a convenience store in this location.

The illuminated totem sign will be 3.5m tall and 1m wide, with a max. illuminance level of 150 cd/sqm. Again, the size and level of illumination are appropriate for the location within a residential area, and will not harm visual amenity. Four wall mounted banner signs are to be affixed to the boundary fence. These are of an appropriate size and are non-illuminated.

The advertisements do no harm the character of visual amenity of the site or wider area and are therefore in accordance with policy D DM1 of the Arun Local Plan.

#### **PUBLIC SAFETY**

In terms of public safety, it has to be considered whether the advertisement 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 proposed signage does not result in visual clutter and uses appropriate levels of illumination. The signs are located within the grounds of the convenience store and are set back from the road. The proposals would not negatively impact public safety.

#### **SUMMARY**

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

<b>HUMAN RIGHTS ACT</b>
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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.

<b>DUTY UNDER THE EQUALITIES ACT 2010</b>
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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.

<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:

- Proposed Site Location and Block Plan 100A
- Proposed Signage 07

- Proposed Elevations 08
- Site Plan 09
- Item 1 & 2 Specification 02
- Item 3-5 Specification 03
- Item 6 Specification 04
- Item 7 & 8 Specification 05

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

- 2 The intensity of illumination of the proposed fascia sign shall not exceed 300 candelas and the illumination of proposed totem sign shall not exceed 150 candelas.

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

- 3 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 Arun Local Plan policy D DM1.

- 4 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.

- 5 No advertisement shall be sited or displayed so as to-
1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  3. 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.

- 6 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.