

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AL/75/17/A

LOCATION: Verge opposite The Hame,
Hook Lane
Aldingbourne

PROPOSAL: 1 No. 'V' sign board

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The sign would include 2no adverts and face the road.
SITE AREA	Approximately 25m2.
TOPOGRAPHY	Predominantly flat.
SITE CHARACTERISTICS	Grass verge on rural road.
CHARACTER OF LOCALITY	Rural locality with row of detached houses and agricultural uses nearby.

RELEVANT SITE HISTORY

None relevant. The signs are to advertise new homes being constructed off Hook Lane.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council

Objection.

The site description is incorrect and should be re advertised with the correct site location. As currently advertised it is misleading and incorrect. The application is contrary to the NP policies EH6 and EH8 and will cause harm to the visual amenity of this quiet country lane. The proposals are not suitable for this location and consideration should be given to the flagpoles and v signs to be located on site not on the verge in a narrow lane and close too existing properties.

10 letters of public objection received objecting on the grounds of:-

- incorrect address being shown
- detrimental impact on visual amenity
- noise from flags disturbing residents
- danger to drivers as the adverts are distracted
- the site of the adverts is an emergency refuge, this will not longer be available

Comments on Representations received:

The address has now been amended on the application. However, given the site notices were located at the site, and the plans correctly showed where the adverts were to be located, it is not considered necessary to re-advertise the application.

The officer agrees that the flag part of the application is excessive and not acceptable in this location. But the signs are reasonably sized and appropriate in the location.

Highways have not objected to the application on the grounds that the site is an 'emergency refuge' or that the signs will distract drivers.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

WSCC

WSCC do not provide highways comments for signage/ advertisement consents as you have standing advice to follow. If this is a special case and the standing advice cannot be followed then the reasons why need to be given along with the application.

Comments on Consultation responses:

Comments noted.

The application is considered to meet the requirements of the standing advice

POLICY CONTEXT

Designation applicable to site:
Outside of the built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD5	Advertisements
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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

INTRODUCTION

As set out in the Development Plan Background section of this report the Councils consideration of this proposal is limited to amenity and public safety. These issues are considered below.

AMENITY

Paragraph 67 of the NPPF states that "Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

PUBLIC SAFETY

The signs have a limited visual impact and are not considered to be unduly intrusive or distracting to highway users. The proposed signs are of relatively limited visual impact when viewed in the context of their commercial location. The signs are not considered to result in distraction to highway users.

It is most unlikely that given the nature of the signs that public safety issues would arise.

There is also not considered to be a significant impact on highway or pedestrian safety.

CONCLUSIONS

The V sign is not considered to give rise to any level of significant harm to amenity or to public safety such that consent ought not to be granted. Whilst the area is rural in character the advert is not overly large and is temporary until 3rd January 2020. It is not considered to harm the visual amenity of the area.

It is therefore recommended that temporary advertisement consent be granted subject to the following conditions.

HUMAN RIGHTS ACT

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 advert and works hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 3rd January 2020.

Reasons: The Local Planning Authority would not normally grant permanent consent for such a advert in this location but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the advert for a limited period.

- 2 The advertisement and its hoarding hereby approved shall be carried out in accordance with the following approved plans:-

160104/SA/01 (not including reference to 'flag')
160104/LP
001288 Sheet 2 Rev 4

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with adopted Arun District Council SPD5 'Advertisements'.

- 3 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.

- 4 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.

- 5 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.

- 6 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.

- 7 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.