

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AL/92/20/A

LOCATION: Former Aldingbourne Post Office
Westergate Street
Woodgate
PO20 3QL

PROPOSAL: 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.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks to construct 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.
SITE CHARACTERISTICS	This site is occupied as a Post Office/store in Aldingbourne.
CHARACTER OF LOCALITY	The area is predominately residential, with the site located along Westergate Street which has various residential properties with few businesses serving the local community.

RELEVANT SITE HISTORY

AL/53/20/PL	Change of use from residential (C3) to shop (A1), new roof & new shop front. This application is in CIL Zone 2 (Zero Rated) as 'all other development'.	ApproveConditionally 10-09-20
AL/83/97/A	2 no. internally illuminated commercial advertisement display units	Refused 08-01-98
AL/77/96/A	2 no. internally illuminated display units	Refused 29-11-96 Appeal: Dismissed 26-09-97
AL/89/20/PL	Installation of plant enclosure to house refrigeration & air conditioning equipment & external freezer & chiller units. This site is in CIL Zone 2 (Zero Rated) as other development.	

Relevant planning history noted.

REPRESENTATIONS

No comments from Parish Council.
No representations from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

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

CONCLUSIONS

PRINCIPLE

Para 132 of the NPPF states - The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

DESIGN AND VISUAL AMENITY

The proposed illuminated and non-illuminated fascia logo signs are located to the east and south elevation of the site.

At the front elevation the fascia above the shop will be 1.27m in height and 11.59m in length, towards the side elevation the sign will measure 1.20m in height with a length of 3.64m. The single-sided built up illuminated logo sign will be 6.53m in height with a proposed length of 6.91m. The internally illuminated totem sign has a proposed height of 3.25m and a length of 1.03m.

The illuminated and non-illuminated signs are considered acceptable in design terms, this is a result of its minor scale having a minimal impact on the appearance of the site. The level of illumination is low at either 150 or 300 candelas and the amount of signage that is to be illuminated is very small which is appropriate in the area.

PUBLIC SAFETY

In terms of public safety, it has to be considered 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 adverts by virtue of its location and size are not considered to have an adverse impact on the safety of pedestrians or road users. The totem would be particularly visible being sited at the junction of the roads to the south and east of the store. The position of the totem is back from the junction and whilst it would have some impact on visibility looking north when approaching the junction with as the A29 the impact would be brief and there is sufficient space before the junction markings visibility to the north would not be adversely affected.

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.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:
 - Proposed signage

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

- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure)(England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

- 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 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.

- 7 The intensity of illumination of the proposed sign shall not exceed 300cd/m².

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

- 8 The illumination of the proposed sign shall be of a non-intermittent type.

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