

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: AL/95/17/A

LOCATION: The Furlongs
Land off Hook Lane
Westergate

PROPOSAL: Various illuminated & non-illuminated fascia signs, sign board, flags & small/supplementary signage for navigation & health & safety.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. This application relates to a range of sign, including a V board at the site entrance and flagpoles. There are also various signs located within what will be the site sales area which is to be comprised of 2 dwellings and a sales office located within what will ultimately be their pair of shared garages. Off the 7 sign types, 2 are to be illuminated and these are free standing board signs and these are located in the sales area. The sales area is located to the rear of existing dwellings fronting onto Hook Lane.

TOPOGRAPHY

Predominantly flat.

TREES

There are significant trees at the site, particularly beside the access road. The proposed signs do not however affect these trees.

SITE CHARACTERISTICS

The site is presently being developed for 79 dwellings. Development has recently commenced. this includes roads and the site sales area.

CHARACTER OF LOCALITY

Rural locality with a mixture of detached house types and designs facing into Hook Lane. Surrounding area is agricultural.

RELEVANT SITE HISTORY

AL/39/13/	Outline application for the proposed demolition of Oakdene and all other structures within this site and the erection of a residential development of up to 79 dwellings, public open space, childrens play areas, landscaping, drainage measures and all other associated works (means of access into the	Refused 14-02-2014	<i>Appealed</i>
		Appeal: Allowed+Conditions 23 02 2015	

site to be considered, appearance landscaping, layout, scale and access within the site to be reserved) - This is a Departure from the Development Plan

AL/107/16/RES	Application for Reserved Matters application following Outline Planning Permission AL/39/13 for the demolition of Oakdene and all other structures within the site and the erection of 79 dwellings, public open space, children's play areas, landscaping, drainage measures, sub-station, pumping station and all other associated works.	ApproveConditionally 24-05-2017
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AL/75/17/A	1 No. 'V' sign board	ApproveConditionally 23-08-2017
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There is a previously permitted V sign to the south of the site which provides advance advertisement of the development. See AL/75/17/A.

REPRESENTATIONS

Representations received:

Aldingbourne Parish Council has not commented.

No representations received.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

No consultees.

Comments on Consultation responses:

N/A

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

[Aldingbourne Neighbourhood Plan 2016 POLICY](#) Unlit village status
[EH10](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD5

Advertisements

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.

Policy EH10 'Unlit village' status in the Neighbourhood plan is also relevant as a material consideration. This states that:

Development proposals which detract from the unlit environments of the Parish will not be supported.

New lighting will be required to conform to the highest standard of light pollution restrictions in force at the time. Security and other outside lighting on private and public premises will be restricted or regulated to be neighbourly in its use including floodlighting at equine establishments and on sports fields or sports grounds.

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. Although the Neighbourhood plan policy is also of some relevance in this instance.

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."

The proposed signs are well related to the development which they will serve and are of a temporary nature.

The normal approach to illuminated signs is set out in the Institute of Lighting Engineers Technical Report Number 5: Brightness of Illuminated Advertisements (2001). This deals with signs visible from the public highway, however it does categorise lighting zones. Zone E2 is one which includes areas of low district brightness (e.g. rural or small village locations). The site is located within just such an area. The report suggests luminance limitations acceptable for such areas are 600 cd/m for up to 10sqm and 300 cd/m for signs larger than 10sqm. In this case 668.45 cd/m is proposed for the illuminated signs. This aspect can be addressed by imposing a suitable condition.

In addition, it is considered that the hours of illumination are relevant. It is considered that in order to reduce impact on amenity and on dark night skies to acceptable levels, the signs are not illuminated outside of the hours of 08:00 to 20:00. This aspect can also be addressed by imposing a suitable condition.

It is considered that subject to the above the proposed signs will not have a harmful affect on the amenity of nearby occupiers nor on dark night skies and would therefore be consistent with policies.

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 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 signs are 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 signs area not overly large and they are temporary. Removal once development and sales have ceased can be secured by condition.

It is therefore recommended that temporary advertisement consent be granted 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 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 advertisements and works hereby permitted shall be removed and the land restored to its former condition, or to a condition permitted as a part of the planning permission for the development of the site on completion of the sales of dwellings at the site.

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

- 2 The advertisements shall be displayed in accordance with the following approved drawings and details:

Drawing Number 160104/LP - Location Plan - Date April 2016
Drawing Number 161004/SA Rev D - Sales Arena Layout - Dated 09.08.2017
Drawing Number 1608/MS-1 Rev P - Marketing Suite Elevations - Dated 08.08.2017
Drawing Number 1608/MS-2 Rev P - Marketing Suite Elevations - Dated 04.08.2017
Drawing Number 1608/MS-7 Rev P - Marketing Suite Sections - Dated 04.08.2017
Drawing Number 160004/SA SS Rev A - Street Scene - Dated 07.08.2017
Drawing Number 001283 Rev 01 - Sheet 1, Site Plan - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 2, Sign EXT 001 MSM - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 3, Sign EXT 002 Flag - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 4, Sign EXT 003 SSM - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 5, Sign EXT 004 SSS - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 6, Sign EXT 005 SSS - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 7, Sign EXT 006 SSM - Dated 03.04.2017
Drawing Number 001283 Rev 01 - Sheet 8, Sign EXT 007 SSMini - Dated 03.04.2017

Drawing Number 001283 Rev 01 - Sheet 9, Sign EXT 008 Swing Sign - Dated 03.04.2017

Drawing Number 001283 Rev 01 - Sheet 10, Sign EXT 009 Budget Fascia - Dated 03.04.2017

Drawing Number 001283 Rev 01 - Sheet 11, Sign EXT 010 Manifestation Dots - Dated 03.04.2017

Drawing Number 001283 Rev 01 - Sheet 12, Sign EXT 011 Opening hours Vinyl - Dated 03.04.2017

Drawing Number 001283 Rev 01 - Sheet 13, Sign EXT 012 Sales Clock - Dated 03.04.2017

Collingwood Lighting Bollard Lights Specification - Received with Application

Reason: For the avoidance of doubt and in the interests of amenity and in accordance with Town and Country Planning (Control of Advertisements) Regulations 2007.

- 3 The intensity of illumination of the proposed signs shall not exceed 600 cd/m for signs up to 10sqm and 300 cd/m for signs larger than 10sqm.

Reason: In the interests of the visual amenity of the locality in accordance with Town and Country Planning (Control of Advertisements) Regulations 2007.

- 4 The advertisements hereby permitted shall not be illuminated outside of the hours of 08:00 to 20:00.

Reason: In the interests of the visual amenity of the locality in accordance with Town and Country Planning (Control of Advertisements) Regulations 2007.

- 5 The illumination of the advertisements hereby permitted shall be of a non-intermittent type.

Reason: In the interests of the visual amenity of the locality in accordance with Town and Country Planning (Control of Advertisements) Regulations 2007.

- 6 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.

- 7 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.

- 8 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.

- 9 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.

- 10 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.