

Recommendation Report for Consent to Display an Advertisement(s)**REF NO:** AW/181/17/A**LOCATION:** Co-op
2 Nyetimber Lane
Aldwick**PROPOSAL:** Various illuminated & non-illuminated advertisements on various elevations.**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	The proposal seeks to create 7 advertisements on the different elevations of the Co-Op. 3 of these are illuminated internally, one is an illuminated fascia, the other 3 are non-illuminated.
SITE AREA	Approximately 309.2sq.m.
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	There is no boundary treatment to any of the road-facing elevations of the building.
SITE CHARACTERISTICS	The site is populated by a two storey commercial building that is a Co-Operative shop. Due to this prominent position on the corner of the junction, it has three road-facing elevations.
CHARACTER OF LOCALITY	There are many different housing styles and uses for the buildings in the area.

RELEVANT SITE HISTORY

AW/134/94/A	Internally illuminated fascia sign, internally illuminated double-sided projecting sign and window advertisements	Apprvd/Cond ADV 04-11-1994
AW/214/05/A	1 No. internally and externally illuminated fascia sign and 1 No. internally illuminated projecting box sign.	ApproveConditionally 10-10-2005
AW/162/07/A	1 no. internally illuminated fascia sign and 1 no. internally illuminated double sided projecting sign.	ApproveConditionally 27-07-2007
AW/104/12/A	1 No internally illuminated free standing single sided display unit	ApproveConditionally 04-07-2012

BR/89/49/A	Store	ApproveConditionally 28-07-1950
BR/89/49/C	Alterations and additions	Approve 01-08-1959
BR/459/69/ADV	Letter and reflective sign and electric sign	Apprvd/Cond ADV 18-09-1969
BR/385/83/A	1no illuminated fascia sign 1 illuminated coke machine and one poster drum	Refused 22-06-1983
BR/588/83/ADV	1 no internally illuminated fascia sign & 1 no internally illuminated projecting box sign	Apprvd/Cond ADV 24-08-1983
BR/791/83/ADV	3 no flag poles non illuminat- ed	Apprvd/Cond ADV 23-11-1983
BR/666/84/ADV	Illuminated to front external elevation by means of 12 no floodlights	Apprvd/Cond ADV 14-11-1984
BR/1090/84/ADV	3 Non illuminated flag poles	Apprvd/Cond ADV 17-04-1985

Noted.

REPRESENTATIONS

Representations received:

None.

Comments on Representations received:

N/A

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY 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."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

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

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 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. Aldwick Parish Council has a design statement, however, it does not seem to have any direct relation to the construction of adverts.

AMENITY

Given the extent of advertisements already present on the site 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. It is noted that the existing advertisements have deteriorated significantly since their installation and this re-branding may improve the look of the building. The proposed illumination of the illuminated signage is 400candelas per square metre. This is deemed to be in keeping with the W.S.C.C Standing Advice, which states that in Medium district brightness area, it cannot exceed 600 candelas per square metre.

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 signs are not considered to post a hazard to public safety and comply with standing highways safety advice.

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

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:
 - Site Plan - Futurama W.O 130775
 - Proposed elevation 1 - Futurama W.O 130775
 - Proposed elevation 2 - Futurama W.O 130775
 - Proposed elevation 3 - Futurama W.O 130775
 - Collections 1 - Futurama W.O 130775
 - Collections 2 - Futurama W.O 130775
 - Collections 3 - Futurama W.O 130775
 - Proposed/Existing Elevations 2 - Futurama W.O 130775
 - Proposed/Existing Elevations 3 - Futurama W.O 130775
 - Revisions 07/06/17 - Original Scheme

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 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 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.

- 5 The intensity of illumination of the proposed signs shall not exceed 400candelas/metre.

Reason: In the interests of the road safety and visual amenities of the locality in accordance with GEN7 of the Arun District Council Local Plan.