

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: A/119/12/A

LOCATION: Haskins
Roundstone by-Pass
Angmering Littlehampton

PROPOSAL: 2no. Internally illuminated fascia signs & 5no. non-illuminated poster signs to front elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The applications is for Advertising Regulations Consent for 8 averts including 2 high level fascia signs on the front facade of the A1 retail units located at the rear of the site.
SITE AREA	5.9 hectares
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Mainly different types of trees and shrubs
SITE CHARACTERISTICS	The western part of the site is occupied by a garden centre which includes the garden shop, 460 seat restaurant, covered sales area and car park with 500 spaces. The northern section of the site is characterised by a large retail building comprising 2 vacant A1 retail units (total 338 square metres of A1 retail use restricted by S106 agreement) and a larger A1 retail unit measuring 1008 square metres (restricted by S106 agreement for the sale of arts and crafts goods) Vehicle access and egress for the public to the existing Garden Centre is from the Roundstone bypass, service and delivery vehicle access is from Roundstone Lane. Overhead power cables bisect the site running through the central part of the site in a north westerly/south easterly configuration. An electricity pylon sits in the area of car parking adjoining the main vehicle access to the site.
CHARACTER OF LOCALITY	The southern boundary of the site adjoins the footpath and wide grass verge on the Roundstone Bypass. A limited number of larger residential properties run along the western edge of the site which are extremely well

screened by existing mature landscaping. With the remaining section of the western boundary abutting the landscape, planting and grass verge of the A280, Angmering Bypass.

RELEVANT SITE HISTORY

A/169/11/A	3 no. externally illuminated fascia signs above store & restaurant entrances & 5 no. externally illuminated roadside signage	Part Apprv/Part Refu 08-03-2012
A/33/12/	Demolition of glasshouse and erection of replacement building formed of two retail units and warehousing.	Approve Conditionally 15-06-2012
A/98/12/NMA	Application for a non-material amendment following a grant of planning permission A/33/12 to increase the gross internal area to 1426sqm	Approve 02-10-2012
A/86/12/	Proposed bus shelter within car park	Approve Conditionally 10-10-2012
A/79/12/	Change of use from storage (B8 Storage & Distribution) to retail (A1 Shops)	Approved Cond + S106 19-11-2012

No comments

REPRESENTATIONS

Representations received:

Angmering Parish Council
- no objection

Comments on Representations received:

No comments

CONSULTATIONS

WSCC Strategic Planning
Environmental Health

Consultations responses received:

West Sussex County Council Strategic Planning- All of the signage is situated away from the public highway and would not therefore have any consequences to users of the public highway. There would consequently be no objection to this proposal.

Arun District Council Environmental Health- no EH objection

Comments on Consultation responses:

Comments noted- the comments from West Sussex County Council indicate that there is not likely to be an unacceptable effect in terms of public safety.

POLICY CONTEXT

Designation applicable to site:
Adjacent to A grade road
Local Gap

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4

Supplementary Planning Guidance for
Advertisements.

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity, aural amenity, public safety, quality of the environment and impact upon the character of the local area.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

ADVERTS

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

Paragraph 67 of the NPPF states: "Only those advertisements which will clearly have an appreciable impact on a building or 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 impact".

It is considered that the four "Hi-sight Poster Frame" advertisements, and the two proposed "Sign 2" advertisements will not have an appreciable impact on the building or surroundings. It has not therefore been subject to detailed assessment. These are recommended for approval.

The two high level fascia signs to the front of unit 1 and unit 3 measure 5450mm in length and 1450mm tall and will be internally illuminated. The signs are located at first floor level above the entrance lobby on the southern elevation facing the car park. They are visible from outside the site and as such are considered to have an appreciable impact. They have therefore been subject to detailed consideration.

No objection has been raised by the District Council's Environmental Health Department or West Sussex County Council's engineers.

It is considered that the proposed signs are of an appropriate scale and size relative to the host property. They appropriately located on the front facade and in a location within the site that will not affect the amenity of the area. It is therefore concluded that the proposed signs comply with national guidance in the NPPF and Arun District Council's Adopted SPG "Advertisements" (September 2003).

Conclusion:

It is therefore concluded that the proposal is not contrary to the National Planning Policy Framework paragraph 67 in that it will not clearly have an appreciable impact on its surroundings and is not deleterious to public safety or amenity.

HUMAN RIGHTS ACT

FOR APPROVAL

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 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 a neutral impact has 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.

As no negative impact has been identified, no mitigation measures are required.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 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.

- 2 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.

- 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 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.

- 6 The intensity of illumination of the proposed sign shall not exceed 800 candelas.

(a) In the interests of the visual amenities of the locality in accordance with policies GEN7, GEN33 of the Arun District Local Plan.

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

(a) In the interests of the visual amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.