

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: A/15/18/A

LOCATION: Caffyns Audi Worthing
Roundstone By-Pass Road
Angmering
BN16 4BD

PROPOSAL: Various illuminated & non illuminated advertisements on various elevations & internally illuminated pylon sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application relates to 2 signs on the south elevation a logo and fascia sign, a logo sign on the east elevation and information signs on the west elevation and 2 internally illuminated pylon signs on the site frontage 4.5m high.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary hedging to the site has recently been removed.
SITE CHARACTERISTICS	The car show room building is nearing completion.
CHARACTER OF LOCALITY	Mixed with a garden centre to the east and a residential dwelling to the north.

RELEVANT SITE HISTORY

A/162/15/PL	Car showroom & workshop with associated access, car parking & landscaping.	Refused 31-03-16 Appeal: Allowed+Conditions 09-11-16
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REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Angmering Parish Council

No Objection - Subject to the illuminated signs being of the appropriate brightness; being sensitive to the location / residents. They should not cause an unsafe distraction to drivers.

COMMENTS ON REPRESENTATIONS RECEIVED:

None

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

DEVELOPMENT PLAN POLICES

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.

Section 38(6) of the Planning and Compulsory Purchase Act 2004, does not apply to advertisement applications and the Development Plan can be considered as a material consideration

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

The application relates to the following signs:

Sign A Fascia Name Sign 7.8m high 7.4m long and 14cm deep. Illuminated 123cd/m

Sign B Fascia Logo 1.47m high, 4.1m long and 15cm deep. Illuminated 112.7 cd/m

Sign C Fascia Logo 1.4m high, 4.1m wide and 15cm deep. Illuminated 112.7cd/m

Sign D Fascia 0.6m high 1m wide - Non illuminated

Sign E Vinyl 0.7m wide- Non Illuminated

Sign F Fascia 0.4m high, 5.3m wide and 14cm deep. Non Illuminated

Sign G Pylon 4.5m high, 1.2m long and 14cm deep. Illuminated 145cd/m

Sign H Directional Sign 1.7m high, 1.1m long and 10cm wide

Sign I Pylon 4.5m high, 1.1m wide and 22cm deep. Illuminated 134 cd/m

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.

The design and locations of the proposed adverts are not considered to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties, or commercial units be unacceptably affected. The signs are not unacceptably large in relation to the size of the building on which they are displayed.

The pylon signs are considerable in height and exceed the height of those permitted on the frontage of Haskins and Wyevale which have entrance signs 3m high. However, given that the Peugeot dealership on the A259 to the east has a double sided sign on the site frontage which is 5m high it is considered that these signs are acceptable.

In the evaluation of the signs, consideration has been given to its impact upon public safety. It is vital to consider whether the advertisements itself or their location are 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 pose a hazard to public safety and complies with standing highways safety advice.

SUMMARY

In the absence of unacceptable harm to amenity or public safety, it is recommended that the application be approved, 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 development hereby approved shall be carried out in accordance with the following approved plans:

Location

Proposed Site Plan Page 2 of 2 001 rev 2,

Proposed Elevation Visuals Page 1 of 2 001 rev2

Propose External Signage Page 1 of 3 001 rev2

Proposed External Signage Page 2 of 3 001 rev2

Proposed External Signage Page 3 of 3 001 rev2

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 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 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.

- 4 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.

- 5 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.

- 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 145 candelas.

Reason: In the interests of the visual amenities of the locality in accordance with policy