Recommendation Report for Consent to Display an Advertisement(s)

REF NO: A/82/23/A

LOCATION: Land to the rear of Station Road
Angmering
BN16 3RE

PROPOSAL: Various illuminated and non illuminated advertisements on various elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Application for 8 advertisements in connection with the proposed Sui Generis use of the site as a car rental office.
BOUNDARY TREATMENT	Metal fencing.
SITE CHARACTERISTICS	Site is to the northwest of Angmering Railway Station and directly north of the railway line. Residential dwellings directly to the north of site. Land is currently open storage and left to scrub.
CHARACTER OF LOCALITY	Mixed use, including light industrial and retail units within residential area. The site is situated on the boundary between parishes.

RELEVANT SITE HISTORY

A/81/23/PL	Rental vehicle premises (Sui Generis) including erection of modular rental vehicle office and rental vehicle wash bay, car parking (including rental vehicle storage) and associated works. This application is in CIL Zone 4 (Zero Rated) as other development.

REPRESENTATIONS

Angmering Parish Council: Objection. One sign to front would be overbearing and cause a visual obstruction.

Rustington Parish Council: No objection.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted, comments addressed below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Network Rail: No objection. Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. An Asset Protection Agreement may be required.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built-up Area Boundary

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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

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

CONCLUSIONS

PRINCIPLE

Paragraph 132 of the National Planning Policy Framework (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

8 signs are proposed in connection with the proposed car rental facilities:

- 1 totem to the entrance (1.8m by 307mm) internally illuminated.
- 1 entrance sign (1.4m by 0.65m).
- 2 directional signs affixed to fence in two places (0.74 by 0.86m and 2.13m by 0.72m).
- Facia band for office (a total width surrounding 3 elevations of the building 24.9m by 0.8m, height from ground 3m and protruding 0.19m from the elevation of the building) internally illuminated.
- Facia band to wash bay building (4.7m by 0.94m, height from ground 3m and protruding 0.19 from elevation of building) internally illuminated.
- 1 door vinyl (0.6m, height from ground of 1.65m)
- 1 internal back wall sign (3.2m by 0.6m).

The site is situated away from the highway behind Angmering train station and its carpark, it is situated immediately to the north of the railway line, other industrial building are present in the area. Other signage can be found affixed to commercial property, otherwise the area remains fairy free of adverts albeit there are signs affixed to the entrance of the train station carpark. Of the above signs, only the totem and entrance sign will be visible from the public highway. The office facia band/car wash bay facia band will be visible from user of the railway line.

The illumination levels proposed as required will be no more than 600cd/m2. West Sussex Illumination Standing Advice requires areas in Zone 3 - Medium district brightness areas (e.g. small town centres, urban locations), to include illumination levels no higher than 600cd/m2. The illuminated signs accord with this requirement.

Given the commercial nature of the site and other advertisements already present in the immediate vicinity, the design and location of the signage is not considered to have an unacceptably adverse impact on visual amenity nor will residential amenity of nearby properties be unacceptably affected.

PUBLIC SAFETY

In terms of public safety, it must 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 totem will be located to the grass verge adjacent to the pavement, reasonably close to railway signage. Angmering Parish Council have objected the proposal stating the totem to the front will block highway views. The totem will be located to the inside of the pavement to a grass verge, which is planted with mature shrubs. There is no restrictions or requirements to curtail the growth of this planting and it can be seen that there is no distinguishable difference between the planting potentially blocking views or the totem. Furthermore, given the totem is positioned to the inner edge of the pavement, no actual restriction of views will occur as full visibility can still be achieved 2.5m back from the highways edge.

The proposed adverts by virtue of its location and size are not considered to have an adverse impact of the safety of pedestrians or road users.

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:

- Advertisement Locational Plan.
- Totem (sign 1) Plans and Elevations
- Entrance Sign (sign 2) Elevations
- Directional Stall Sign (sign 3) Elevations
- Entrance Sign (sign 4) Elevations
- Illuminated Facia Band (sign 5 (a)(b)(c)) Elevations
- Illuminated Facia Band (sign 5 (a)(b)(c)) Section
- Illuminated facia Sign (sign 6) Elevations and Section
- Door Vinyl (sign 7) Elevations
- Back Wall Sign (sign 8) Elevations

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 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 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.