Recommendation Report for Consent to Display an Advertisement(s)

REF NO: A/83/23/A

LOCATION: Land North of
Water Lane
Angmering
BN16 4EJ

PROPOSAL: 1 No. non-illuminated stack sign (Resubmission of A/266/22/A).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application proposes 1 No. non-illuminated stack sign. The proposed sign would measure approximately 1.5m x 3m, and would be raised on posts with a maximum clearance height of 3.2m. The total height of the sign would be a maximum of 4.7m.
SITE CHARACTERISTICS	The proposed location is part of a wider site development known as North of Water Lane, approved under planning permission A/248/21/PL, and which is currently being developed. The site is an open field surrounded by boundary vegetation. The sign is set back approximately 50m from Water Lane in Angmering. The advertisement is proposed east of the Oval Raceway road, and adjacent to the 'T' junction comprising Oval Raceway Road and an unnamed track heading northeast. The overall site rises towards the north to the A27. The proposed location of the sign is at one of the lowest levels of the site at the south of the site.
CHARACTER OF LOCALITY	The wider area is rural in character with the South Downs National Park to the north beyond the A27 and to the east. Angmering village is located to the west, and a new residential extension to the village is being built to the south of Water Lane and has recently completed a number of dwellings which front Water Lane.

RELEVANT SITE HISTORY

A/266/22/A	1 No non-illuminated stack sign.	Withdrawn 05-04-23

The site is subject to a number of planning permissions, which can be reviewed in full on the Arun District Council's website. The most relevant application are as follows:

A/248/21/PL - Variation of condition imposed under A/40/18/OUT relating to condition 4-approved plans. (APPROVED)

A/256/21/RES - Approval of reserved matters following outline consent A/248/21/PL for the erection of 525 No residential dwellings with associated parking, landscape, play areas & public open space. (APPROVED)

A/266/22/A - 1 No non-illuminated stack sign. (WITHDRAWN)

REPRESENTATIONS

None received

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

WSCC Highways - Provided standing advice

Angmering Parish Council - No comments

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

DEVELOPMENT PLAN POLICIES

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.

OTHER MATERIAL CONSIDERATIONS

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

CONCLUSIONS

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 allow the Local Planning Authority to control the display of advertisements only in the interest of amenity and public safety, taking into account the provisions of the development plan only where they are relevant.

The NPPF states poorly placed advertisements can have a negative impact on the quality and character of places. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Amenity is not defined exhaustively in the Advertisement Regulations, but includes aural and visual amenity. Factors relevant to amenity include the general characteristics of the locality and the presence of any feature of historic, architectural, cultural or similar interest.

AMENITY

The proposed sign is sited in an appropriate manner by marking the entrance road to the new development site. The sign is proportionate in scale and size and would not appear overbearing in its setting. There are currently no existing advertisement stack signs and so this advertisement would not cause a cluttered appearance.

There are two proposed example signs, which identify the launch and availability of new homes. It is of note that only one stack sign is proposed, however the signage information can be alternated without the need for further consent. The signs provide clear information using a simple design with clear fonts and distinguishable colours that would not adversely impact the character and appearance of the area.

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.

No illumination of the advertisement is proposed in any form, and therefore the sign would not cause distraction or dazzling to motorists.

The location of the sign is set back from the main road, Water Lane. The sign would be located so it does not interfere with visibility into and out of the site onto Water Lane. The private track would still have access and visibility due to the 3.2m clearance of the sign. The sign will be located in a new residential area, and so it would not interfere with the reading of current road signs.

Therefore, the advert is not considered to pose a risk to public safety or cause adverse impacts to amenity, and is recommended for approval subject to 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 Plan 1911-P-100 Rev F
- Stack Sign Drawing SK002 Rev B
- Stack Sign Drawing SK001 Rev B
- Proposed Sign 2 v 1.10 (dated 2nd September 2022)
- Proposed Sign 3 v 1.10 (dated 2nd September 2022)

Reason: For the avoidance of doubt and in the interests of amenity/environment and the character/appearance of the area in accordance with policies D DM1 and LAN 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 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 advertisement hereby permitted shall be removed on or before the expiration of the period ending on 5 years from the date of the permission.

Reason: In the interests of proper planning and the visual amenities of the locality.