

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/35/13/A

LOCATION: Sales Suite (Berkeley)
Site 6
Chichester Road North Bersted

PROPOSAL: Externally illuminated applied lettering

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The sign is to be attached to the front elevation of Sales Suite associated with the Site 6 development. The sign would measure approximately 580mm in height x 4.6mm in width x 30mm in depth. The signs would be fixed 3.5 metres above ground level.
SITE AREA	n/a
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Low level hedging to front of site.
SITE CHARACTERISTICS	Two storey sales building, appearing as semi detached detached dwelling. Brick plinth and white cladding to elevations and a hipped slate tiled roof.
CHARACTER OF LOCALITY	Site located at entrance to recently constructed residential estate from Chichester Road.

RELEVANT SITE HISTORY

BE/122/10/	Erection of 373 dwellings, together with associated access, landscaping and engineering works, in substitution for details previously approved as reserved matters pursuant to outline planning permission BE/45/04 (representing an increase of 106 dwellings over that previously approved) - This application is accompanied by an Environmental Impact Assessment	Approved Cond + S106 28-09-2011
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REPRESENTATIONS

Representations received:
Bersted Parish Council

No objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

[GEN7](#)
[GEN33](#)

The Form of New Development
Light Pollution

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4

Supplementary Planning Guidance for
Advertisements.

POLICY COMMENTARY

ADVERT

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

The application seeks permission for the display of externally illuminated applied lettering to the front elevation of the Sales Suite building associated with the Berkeley Site 6 development.

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 proposed sign is of an appropriate scale and size relative to the host property and its current use as a 'Sales Suite'. Whilst the signage is located on a prominent elevation and therefore visible from the public domain, given its scale and proposed level of illumination, it would not be unduly prominent. As such it would be acceptable as a temporary addition to the building. It should also be noted that the lighting level is suitable for the location and accords with recommendations made within The Institution of Lighting Engineers Guidance for such locations. A condition is attached to this recommendation for approval requiring the removal of the signage on or before the the building ceases to be used as a 'Sales Suite' for the development.

Given the appropriate design and the suggested condition, it is concluded that the proposed sign would comply with national guidance in the NPPF and Arun District Council's Adopted SPG "Advertisements" (September 2003), in that it will not have an appreciable impact on its surroundings and is not detrimental to public safety or amenity.

HUMAN RIGHTS ACT

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 (insert number and description) 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 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).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The advertisement hereby permitted shall be removed and the building restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the temporary use of the building as a 'Sales Suite'.

Reason: In the interests of the appearance of the locality 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 650 candelas per metre squared.

Reason: In the interests of the visual amenities of the locality in accordance with policies GEN7, GEN33 of the Arun District Local Plan.

- 8 The sign hereby approved shall only be illuminated between the hours of 09.30 - 17.30 daily.

Reason: In the interests of the residential and visual amenities of the locality in accordance with policies GEN7, GEN33 of the Arun District Local Plan.