

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BN/5/25/A

LOCATION: The Co-operative Food  
1 Steeplechase Way  
Fontwell  
BN18 8UF

PROPOSAL: Installation of various signage.

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| <b>SITE AND SURROUNDINGS</b> |
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| DESCRIPTION OF APPLICATION | This application seeks the installation of illuminated and non-illuminated signage including fascia signs, window graphics, promotional banners at 1 Steeplechase Way, and the erection of signage within the car park. |
| SITE CHARACTERISTICS       | The site is a commercial unit located close to the main road, on the edge of an area of residential development.  |
| CHARACTER OF LOCALITY      | The site is located on the edge of an area of newly constructed residential development adjoining Fontwell Avenue. On the opposite side of the road is Fontwell Racecourse, with some associated retail premises.       |

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| <b>REPRESENTATIONS</b> |
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Barnham and Eastergate Parish Council - No objection.

One objection was received from a nearby resident stating that the signage will be visible from every window in their property, and that the fact that the outlook will be dominated by signage may devalue their property.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Although some signage is to be displayed on all elevations of the building, the largest advertisements and all illuminated advertisements will be displayed on the south and west elevations, facing towards the highway. The advertisements will not be so prominent as to have a significant detrimental impact on the outlook of neighbouring properties.

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| <b>POLICY CONTEXT</b> |
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Area of Special Control (Adverts)

**DEVELOPMENT PLAN POLICIES**

[Arun Local Plan 2011 - 2031:](#)

DDM1      D DM1 Aspects of form and design quality

**PLANNING POLICY GUIDANCE:**

NPPF National Planning Policy Framework  
 NPPG National Planning Practice Guidance

## 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

### PRINCIPLE

Paragraph 141 of the National Planning Policy Framework (NPPF) states that 'advertisement should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. 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.

### DESIGN AND VISUAL AMENITY

The application seeks to install a fascia sign above the shop window on the west and south elevation, wrapping around a small portion of the east elevation. The sign would have a height of 0.6m, and would not dominate the facade of the building. An LED light is to be installed on the south and west elevations, wrapping around the corner of the building. The lighting would not illuminate the fascia signs on these elevations, but would be adjacent to them. The LED lights would have an illuminance of 200 cd/sqm, which is within level specified in the West Sussex County Council standing advice. The remaining signage on the south and west elevations consists of window vinyls, together with various smaller signs around the entrance of the shop. At the entrance to the shop on the south elevation, two A1 digital posters are proposed, which would have an illuminance level of 275cd/sqm. This elevation faces towards

the highway and the proposed illumination would not be excessive.

The north elevation would feature similar vinyls and smaller signs, whilst the east elevation would feature a series of promotional banners. These banners would be positioned at a low level on the wall, and they would measure 1.8m by 0.9m. Overall, the proposed signage would not be excessive, and it would be appropriate for its location within a residential area. The signage within the car park would not be illuminated and it would consist of two signs which would be modest in size, measuring 0.45 by 0.45m.

The proposed advertisements would not harmfully impact the visual amenity and character of the site and its vicinity, and do not cause harm in accordance with policy D DM1 of the Arun Local Plan.

#### **PUBLIC SAFETY**

In terms of public safety, it has to be considered whether the advertisement 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 proposed signage is not excessive and is set back from the road. The illuminance would be within the levels specified by the West Sussex County Council standing advice. The proposals would not negatively impact public safety.

#### **SUMMARY**

In the absence of harm to amenity or public safety in accordance with the NPPF, 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**

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 advertisement hereby permitted shall be removed on or before the expiration of the period ending on 1 February 2030.

Reason: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1.

2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan 0004
- Block Plan 0014
- Proposed Elevations 101
- Proposed Elevations 101
- Signage Specification 101
- Fascia Sign Block Plan 101
- Signage Specification 101
- Wall Signage 101
- Window Graphics 101
- Car Park Signage 101
- Promo Banners Specification 101

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1.

3 No advertisement shall be sited or displayed so as to-

1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
3. 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 The intensity of illumination of the proposed signs shall not exceed 275 candelas.

Reason: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1.

6 The illumination of the proposed signs shall be of a non-intermittent type.

Reason: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1.

7 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.