

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: CM/61/21/A

LOCATION: Bairds Farm Shop, Garden Centre
Crookthorn Lane
Climping
BN17 5SN

PROPOSAL: Installation of 1 x externally illuminated fascia sign, 2 x non-illuminated fascia signs, 1 x internally illuminated menu drive through sign to south boundary, 2 x A boards and 2 x roadside flags.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal seeks consent for several advertisements:

- An illuminated fascia sign including the logo and company name displayed on the rear/west elevation. 1.6m above the ground and 1.2m high, 3.6m wide (sign 1). The elevation plans refer to the sign only being illuminated during opening hours and to the sign also labelled 1 on the front east elevation as already having approval under CM/26/21/A.
- 2 non illuminated fascia signs located on the north side elevation 1.4m above ground level and 1m high and 1.4m wide (signs 2 and 2a). Signs on this elevation were approved under CM/26/21/A, but this application amends the approved sizes.
- An illuminated menu board fascia sign to southern boundary 0.36m above ground measuring .084m high and 0.5m wide (sign 3). The elevation plans refer to the sign only being illuminated during opening hours.

Other signs non-illuminated.

2 no A boards comprising 2 x 1.2m high and 0.6m wide boards located adjacent to the gate entrance (sign 4). The elevation plans refer to the signs only being displayed during opening hours.

2 flags 2.8m high and 0.6m wide displayed at the site entrance on the verge.

SITE CHARACTERISTICS

Site is adjacent to Maidenhead Aquatics. It occupies part of the car park area and comprises single storey structures.

CHARACTER OF LOCALITY

Rural area on A259.

RELEVANT SITE HISTORY

CM/26/21/A Installation of 2 x externally illuminated fascia signs and 2 ApproveConditionally

The site benefits from approval of 2 signs under permission CM/26/21/A which relates to the installation of 2 x externally illuminated fascia signs and 2 x non-illuminated fascia signs located on the side elevation. The two illuminated signs named proposed menu (1) and proposed logo (2) on the front elevation were approved subject to conditions which restricted the intensity of illumination (400cd/m²) and their illumination during hours of trade of Bairds Farm Shop only.

REPRESENTATIONS

Climping Parish Council - Objection

- Inappropriate illumination and totally out of keeping with the character of the area
- The proposal is contrary to policies CPN4 & CPN11 of the Clymping Neighbourhood Plan. The illuminated signs will impact on the amenities enjoyed by occupants of surrounding properties and do not integrate with the local built environment and landscape context as described in the Clymping Character Assessment.
- The application does not contain any reference to brightness of the signs or the times of illumination. This should be restricted.
- Lighting could have an impact on wildlife.
- Illumination for the site area would be 400cd/m², not the proposed 1200cd/m² as this would not be acceptable for the location which falls under category zone E2 of the WSCC illuminated signs standard advice.
- They are asking for the illumination to be for the opening hours of the Bald Kitchen (from 6am Monday-Friday and 7am Saturday) which are far longer hours than Maidenhead Aquatics is open or Bairds Farm Shop was open. This is not an industrial park or an urban area. This site is a farm building in a rural area.
- There is a listed building within 28m of the site. The screening of a 6ft fence is totally inadequate and the residents of The Cottage would be subject to light pollution from 6am. Further lighting and signage will impact the setting of the nearby Grade II Listed cottage significantly.
- The addition of two illuminated framed flags (frame illuminated but not the flag?) on each side of the entrance to the site will confuse and distract drivers on the A259 and would be a traffic hazard.
- The proliferation of light sources is both redundant and wasteful.
- The forthcoming dementia care home development that will likely require signage which could lead to a proliferation of roadside signage and will confuse drivers, interrupt driver concentration and increasing a potential for accident.

3 Objections.

- There are already too many illuminated signs on the site.
- Signs are a distraction to traffic.
- Illuminated signs are an imposition for the Listed Building adjacent to the site.
- Out of character and contrary to the design guide of the Clymping Neighbourhood Plan. Illuminated and non-illuminated signs plus flags are inappropriate, totally out of keeping with the area and will intrude on a rural area.
- The dementia care home will require signage which could lead to a proliferation of roadside signage which will confuse and distract drivers, possibly leading to accidents in the vicinity.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Conditions will limit hours of illumination to the opening hours of the premises and the illumination levels.

Any additional signage requiring Advertisement Consent at the premises will be subject to separate

consideration at that time and considered on its own merits.

This application for Advertisement Consent can only be considered in respect of amenity and public safety. The impact on wildlife cannot be considered.

For the reasons set out below it is not considered that the signs are a hazard to highway users or have an adverse impact on the setting of the heritage asset.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Outside Built Up Area Boundary

Area of Special Control for Adverts

A Class road

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
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NPPG	National Planning Practice Guidance
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SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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XXX4	Supplementary Planning Guidance for 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.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 136 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.

As the NPPF makes clear, 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 effect of advertisements on their surroundings.

The Councils Design Guide does not contain any guidance on adverts and instead refers the user to the Councils Supplementary Planning Document (SPD) "Advertisements".

VISUAL AMENITY

The application site is presently open and prominently located within the streetscene with unhindered views of it in both directions along Crookthorn Lane. 4 of the signs indicated on the elevation plans have previously been approved, though the size of 2 of the approved signs is altered in this application. The additional signs within the site are not considered to be of an overly obtrusive design and would preserve the appearance of the street scene on Crookthorn Lane. This will ensure they will not cause a significant harmful impact on the visual amenity of the area. The A-board frames will only be displayed when the premises is open.

The Adverts SPD states that adverts should not adversely affect the street scene and should avoid visual cluttering of different kinds of signs. Furthermore, as this site lies in an Area of Special Control of Advertisements, new adverts must also respect local character, avoid illumination and be visually sympathetic. The SPD also states that flag poles will not be permitted in such areas. Although the signs on the site frontage are not displayed on poles they are prominently sited flags.

This element of the proposal is clearly in conflict with the SPD due to the presence of 2 flag signs (at 2.8m high), in addition to the smaller signs within the site. This will result in visual cluttering of this open and prominent location and thus detract from the visual amenity/character of the surroundings. The signs within the site are in themselves relatively small in size and necessary to display the products sold and define the use of the relevant parts of the site and subject to restrictions on the intensity and hours of illumination would be acceptable. It is the additional flags on the site frontage which result in a cluttered appearance to the signage at the site. It is also not clear that these flags are located within land within the applicant's control since they are outside of the red edged area and located on the highway verge. An informative has been added to this application to advise the applicant that the consent of WSCC

would be required in this respect.

This part of the proposal therefore conflicts with the SPD and with the guidance at para 136 of the NPPF.

It is not considered that the adverts will result in harm to the way in which the nearby heritage asset fronting Climping Street is experienced. The Listed Building is positioned over 20m from the signage and is screened by boundary fencing and planting. The closest sign the illuminated menu board faces away from the building.

PUBLIC SAFETY

The Adverts SPD states that the vital consideration is whether the advertisements or their 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. Signs should not distract road users or interfere with the interpretation of road signs or traffic lights.

The adverts have been placed outside of the visibility splay at the entrance to the site. The road speed limit in this location is 40mph, so the signs are unlikely to prove dangerous due to distracting cars at speed. Furthermore, there are only a couple of existing road signs and given the speed of the road it and set back position of the signs it is not considered that the new signs will interfere with the reading of these. Therefore, the adverts are not considered to pose a risk to public safety and there is no conflict with the SPD. The signs may be visible at a longer distance due to the relatively open nature of the surrounding landscape however this would not increase safety concerns.

CONCLUSION

It is therefore recommended that the application is part approved, subject to the following conditions and part refused for the following reason.

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 part 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 part 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

PART APPROVE / PART REFUSE