Recommendation Report for Consent to Display an Advertisement(s)

REF NO: **EG/29/12/A**

LOCATION: 150 Barnham Road
Barnham

PROPOSAL: 2 no. non-illuminated Hoarding signs to replace existing

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks advertisement consent for the display of 2no. non-illuminated hoarding signs.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	1 metre high brick wall, 1.5 metre brick columns and conifers to front boundary.
SITE CHARACTERISTICS	Detached residential care home faced in cream render with pitch, tiled roof and parking forecourt to front.
CHARACTER OF LOCALITY	Semi-rural. Main road, comprising detached two storey residential properties of various character and design in large plots with tree screening and mature hedging to boundaries. Area of Special Character.

RELEVANT SITE HISTORY

EG/17/08/	Extensions to existing care home to provide eleven additional bedrooms with related recreational areas.	Refused 03-07-2008
EG/33/09/	Extension of existing residential care home to provide nine additional bedrooms with related recreational areas (Re-submission following EG/17/08/)	Approve Conditionaly 09-09-2009
EG/24/11/	Construction of partially enclosed external staircase attached to existing building	Approve Conditionaly 21-07-2011
EG/43/11/	Conversion of existing loft to provide staff accommodation	Approve Conditionaly 29-09-2011

EG/13/12/	Brick piers & softwood fence panels to existing boundary wall & new entrance gates	Approve Conditionaly 15-05-2012
EG/86/86	Construct new addition to rest home	Refused 19-12-1986

REPRESENTATIONS

Representations received:

Comments awaited.

Comments on Representations received:

Awaited.

CONSULTATIONS

WSCC Local Development Divis.

Consultations responses received:

County Highways Authority: The application is for the erection of 2no. non illuminated hoarding signs that will replace an existing double fronted, pole mounted sign at 150 Barnham Road, Eastergate. Upon inspection of the plans, the sign will be on land under the applicant's control. The placement of the sign will not obstruct visibility at the point of access with 150 Barnham Road and therefore, there would be no anticipated highway safety concerns.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Area of Special Character
Permitted development restriction
Class B road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:	GEN7	The Form of New Development

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4	Supplementary Planning Guidance for Advertisements.

POLICY COMMENTARY

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

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

VISUAL AMENITY
Paragraph 67 of the National Planning Policy Framework states taht, 'poorly placed advertisements can have a negative impact on the appearance of the built and natural environment'.

The proposed signs will be positioned behind the front boundary wall, adjacent to the main entrance of Barnham Manor Care Home on Barnham Road. They will replace an existing pole mounted sign. The signs will be non-illuminated and measure 1500 x 1800mm with softwood perimeter moulding signpainted in blue lettering on a cream background, supported by a triangular frame on 100x100mm posts.

The signs are traditional timber signs in design and appearance. The signs will be clearly visible within the streetscene along Barnham Road, but are considered to be an appropriate size, position and scale, and are in keeping with the semi-rural character of this Area of Special Character.

HIGHWAY SAFETY
The signs are non-illuminated. The County Highways Authority is satisfied that the position of the signs, at the main entrance to Barnham Manor Care Home, will not obstruct visibility at the point of access onto Barnham Road. As such, there are no highway safety concerns raised.

SUMMARY
It is considered that the signs will not harm the visual amenity of the Area of Special Character

and will not adversely impact highway safety. It is therefore recommended that consent is granted, subject to the conditions outlined below.

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 (8 right to respect to 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 (Neutral) 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).

RECOMMENDATION

APPROVE CONDITIONALLY

1 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.

2 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.

3 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.

4 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.

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.

6 Notwithstanding the details hereby approved, the existing pole mounted sign shall be removed prior to the installation of the 2no. non-illuminated signs hereby permitted.

Reason: To prevent the proliferation of signage in the interests of visual amenity, to comply with policy GEN7 of the Arun District Local Plan.