REPORT UPDATE

Application No: EG/57/14/A

Reason for the Update / Changes

There has been a slight change to the submitted plans in that the lighting to Sign B has now been removed. Members should note that Sign B is the narrow rectangular blue fascia panel to the left of the entrance door as viewed from the front. This is reflected by the amended plans condition shown on the attached sheet.

Notes: Changes to recommendations, conditions and / or reasons for refusal will always be reflected in the recommendation section of the attached Officer's Report/Recommendation.

EG/57/14/A

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: **EG/57/14/A**

LOCATION: The Barnham Hotel
28 Barnham Road
Barnham

PROPOSAL: 1 No internally illuminated fascia sign, 1 No externally illuminated fascia sign, 1 No externally illuminated projecting sign, 1 No non illuminated wall mounted dibond panel on front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The proposal seeks permission for 4 advertisements which are as follows:-

* Sign A: An internally illuminated fascia panel featuring the Tesco Express logo and measuring 2866mm in width by 1360mm in height. This will be mounted on the rendered gable end above first floor windows on the front elevation.

* Sign C: An externally lit (trough downlit) fascia sign featuring the Tesco Express logo and measuring 3863mm in length by 440mm in height. This will be positioned above ground floor windows, directly adjacent to sign B.

* Sign D: A non-illuminated panel sign showing opening hours to be positioned at ground floor height, adjacent to the proposed entrance doors. This sign measures 1300mm in height

by 600mm in width.

* Sign G: An externally illuminated (downlit) projecting sign mounted at first floor window height on the front elevation. The sign will project 800mm and will be 650mm in height and 90mm in thickness. The sign will carry the Tesco Express logo and will also advertise the proposed ATM.

In addition, the following items signs are included on the plans but do not require advertisement consent:

* Sign B: A plain externally illuminated (trough downlit) fascia sign measuring 5587mm in length by 440mm in height to be installed above the ground floor windows on the front elevation. This no longer carries any lettering.

* Sign E: An internally applied no smoking sticker measuring 210mm in height by 148mm in width. To be applied to glazing adjacent to the proposed entrance doors.

* Sign F: A panel to surround the proposed ATM which is intended to be mounted within the ground floor bay window on the front elevation (see application EG/55/14/PL). This sign measures 1416mm in width by 2370mm in height. An external light will be mounted above the ATM.

SITE AREA	Approximately 1000 square metres.
TOPOGRAPHY	Slight downward slope running from west to east.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Open frontage. Other boundaries marked by approximately 2 metre high timber fence with additional hedging and trees in places.
SITE CHARACTERISTICS	The site is occupied by an Edwardian two-storey red brick building which is currently vacant but was previously in use as a public house with accommodation above. There are bay windows to the front. Single-storey additions have been made to the rear of the building. The building is recognised by the

	Council as being of special character.
CHARACTER OF LOCALITY	The site lies in a predominantly commercial area opposite Barnham Railway Station. To the east, there are residential properties and to the rear there are three-storey flats at Saxby Court.

RELEVANT SITE HISTORY

EG/66/11/	Conversion of 1st & 2nd floors from ancillary (A4) to 6 no. self contained flats (C3) together with rear first floor extension, dormer windows & rooflights	Approved Cond + S106 31-05-2012
EG/30/13/	Re-grading of pub beer garden and construction of retaining wall to provide parking area for 9 vehicles; partial demolition of retail units and addition of bollards.	ApproveConditionally 26-09-2013
EG/47/14/DOC	Application for approval of details reserved by condition 5 of previously approved planning application EG/30/13 - relating to materials & finishes for the proposed brick retaining wall & the vertical timber fence	DOC Approved 19-08-2014
EG/48/14/DOC	Application for approval of details reserved by condition 6 of previously approved planning application EG/30/13 - relating to surface water drainage	DOC Approved 22-08-2014
EG/59/14/PL	Installation of 6 No bollards	ApproveConditionally 24-09-2014
EG/58/14/PL	Installation of a 2 fan condenser and 3 No ground standing AC units to the rear.	ApproveConditionally 24-09-2014
EG/56/14/PL	Minor external alterations and a new shopfront	ApproveConditionally 24-09-2014
EG/55/14/PL	Installation of an ATM to the shopfront	ApproveConditionally 24-09-2014

There is an extant planning permission relating to the first and second floors of the building and which allow for a conversion to create 6 self-contained flats together with a rear first floor extension, dormer windows & roof lights. No car parking spaces were proposed as part of the conversion.

Application EG/30/13 proposed the partial demolition of the adjacent retail units and the regarding of the beer garden in order to provide a parking area at the side for 9 cars (including 1 disabled space).

REPRESENTATIONS

Representations received:

Eastergate Parish Council

Objection (two responses): Sign F is unnecessary and would represent street clutter. The proposed gable end sign would be an eyesore and should be reduced to no more than 50% of its current size. The address and date sign is unnecessary and out of keeping with the frontage of the building. Light pollution is a concern and lighting should be restricted to downlighters.

Four letters of objection: Would not be a welcome sight for travellers leaving the station to visit the South Downs. There is no need for the signage or a Tesco Express in the village. External illuminated signage would not be in keeping with the look and feel of Barnham and light pollution would be an issue. Do not alter this beautiful building.

Comments on Representations received:

The sign originally referred to as 'sign F' has been removed from the application. The intensity of illumination of all advertisements is within the thresholds for zone E2 areas (rural and small village locations) as set out within West Sussex County Council standing advice. All external lighting is downlit so as to reduce the potential for light spillage. The level of advertising on the building is considered to be similar to that which would have been in place for the building's previous use as a public house.

CONSULTATIONS

Environmental Health

Conservation Officer

Consultations responses received:

CONSERVATION OFFICER:

"It is noted that the signage proposed is based upon the current standard Tesco format. Generally, the signage is not too dominant upon the building. However, two signs are problematic:

Advert B: I question the need for such a sign - could the text be included in Advert C (maybe in the bottom right corner. This sign should be deleted.

Advert F: This is a particularly large sign that it is considered detracts from the character and appearance of the property. It is considered that such a sign is not required; there is enough information for people to understand what the building will be used as. Further, most people are aware of the services offered by such a store. This sign should be deleted.

The lack of signage along the sides of the building is supported."

SECOND CONSULATION FOLLOWING REMOVAL OF 'SIGN F' BY APPLICANT & REMOVAL OF LETTERING FROM 'SIGN B.'

"The removal of the sign at the ground floor is supported. However, whilst it is considered that new sign B is acceptable, the concept of lighting it is not required."

Comments on Consultation responses:

Noted. A request has been made to the applicant for the removal of the trough lighting on Sign B.

POLICY CONTEXT

Designations applicable to site:

Within Built-Up Area; and
Building of Special Character.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:	GEN2	Built-up Area Boundary
	GEN22	Buildings or Structures of Character
Publication Version of the Local Plan (October 2014):	D DM1 Aspects of Form and Quality D SP1 Design HER DM2 Locally Listed Buildings or Structures of Character	

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD5	Advertisements
SPD9	Buildings or Structures of Character

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual and residential amenity.

The Development Plan consists of the Arun District Local Plan 2003.

Paragraph 214 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight.

The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework. It should be noted that the NPPF states that weight is given to individual policies and not to the plan as a whole.

NPPF Paragraph 216 confirms that weight can be given to policies in emerging plans following publication. The Council published the Draft Arun Local Plan in July 2012
and this is a material consideration in the determination of this planning application. A pre-submission Plan has yet to be endorsed and published.
Following publication of a pre-submission draft, there is required to be a formal public consultation, resolution of objections, examination and formal adoption.
At this time, the emerging Local Plan is afforded very limited weight in terms of the decision making process.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered

alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation (Reg.14).

The Barnham and Eastergate Neighbourhood Development Plan has now been made. However, there are no relevant policies regarding the determination of the application. It is acknowledged that there are design policies within the Plan but these all relate to new development or to new buildings.

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

PRINCIPLE:

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. Paragraph 77 of the National Planning Policy Framework states that:

"Poorly placed advertisements can have a negative impact on the appearance of the built and

natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on 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 impacts."

Further scrutiny will be applied to the impact of the works on the character of the building due to its status as a heritage asset.

IMPACT UPON THE SURROUNDING AREA:

The signage proposed is considered to be in-keeping with the surrounding, predominantly commercial, environment. It is noted that there is illuminated signage nearby, including at the railway station directly opposite the site. Further, the proposed signs will not be positioned within close proximity of any residential dwellings and, as such, there will be no unacceptable adverse impact upon residential amenities.

IMPACT UPON THE BUILDING:

The amount and scale of the proposed signage is considered to be similar to that which would have been present for the purposes of the building's former use as a public house. Indeed, it is noted that the signage proposal utilises existing trough lighting. The comments of the Parish Council, relating to the number of signs present, has been taken into account and a panel sign (referred to in the original application as 'Sign F' has been removed following negotiation, so as to reduce clutter. Evidence of fascia and projecting signage on the building is also still visible. The proposed signs are of simple design with a minimal use of colours and lettering and, as such, will not appear garish or overwhelm the building. This will also prevent a cluttered appearance from arising.

ILLUMINATION:

The intensity of the proposed lighting, at 300 candelas per metre, is within the threshold of 600 candelas per metre as defined in West Sussex County Council standing advice for illuminated signs within a zone E2 (rural or small villages) location. The impact of lighting will be further reduced due to all externally illuminated advertisements making use of downlights which the Institute of Lighting Engineers recognise as a way to reduce glare.

SUMMARY:

The proposed advertisements will not detract from the character and appearance of the surrounding area or from the character of the building itself. The levels of illumination are not excessive and, therefore, will not appear incongruous within the village setting. It is therefore recommended that the application is approved, subject to the following 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 for 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 it has been determined that its approval would result in a neutral impact 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).

As such, there is no requirement for mitigation measures to be adopted.

RECOMMENDATION

APPROVE CONDITIONALLY

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

9782-305;
9782-500 REV A;
9782-510 REV A;
9782-811;
9782-815; and
6589 EXT - 3 plans (revisions received on 08/09/14);

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.

3 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.

4 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.

5 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.

6 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.

7 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.

8 The intensity of illumination of the proposed sign shall not exceed 300 cd/m2.

Reason: In the interests of the visual amenities of the locality in accordance with the National Planning Policy Framework.

9 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 the National Planning Policy Framework.

10 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.