

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FG/112/19/A

LOCATION: Garage Premises
Littlehampton Road
Ferring
BN12 6PB

PROPOSAL: 1 x illuminated fascia, Louvers, 1 x illuminated totem, 1 x entrance feature, 1 x directional sign, 2 x post mounted parking signs

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks advertisement consent for 1no. Illuminated Fascia, Louvers, 1No. illuminated totem, 1No. entrance feature, 1No. directional sign and 2No. post mounted parking signs.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is reasonably open plan, in terms of its appearance, in that a large car park borders its Southern and Western elevations.
SITE CHARACTERISTICS	The site is populated by a Honda garage.
CHARACTER OF LOCALITY	The area is populated by buildings of mixed uses and appearances. The site is adjacent to the A259 on its Southern side, and a Peugeot garage to its Eastern side.

RELEVANT SITE HISTORY

FG/76/12/A	3No. internal halo illuminated fascia signs to front (South) elevation. 2No. sets of internally illuminated halo corner lights and 1No. portique entrance surround. 1No. free standing externally illuminated totem sign to the front dealership forecourt (South) of the site.	ApproveConditionally 30-07-12
FG/164/08/A	Advertisement consent for 3 no. internally illuminated fascia signs of varying sizes (Resubmission following FG/139/08/A)	ApproveConditionally 21-01-09
FG/82/19/A	Advertisement Consent for 2no. Internally illuminated	Refused

Fascia Signs, 7no. Ali Panels, 8no. Wall Mounted Signs, 12-09-19
3no. Banner Frames, 4no. Pole Mounted Signs and 1no.
Internally Luminated Totem Sign.

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Parish Council - Objection.

- The illumination is excessive for the location, especially give South Downs National Parks' 'International Dark Skies' designation.
- There are historic examples of other sites in the area, which were refused for illumination.
- The illumination is unnecessary, as the site is close to the road.

Ferring Conservation Group - Objection

- The previous application was refused because the sign was too large, and internally lit, and therefore would be too prominent within the street scene.

Agent's response to representations -

- The LPA refused the application based on the means, and potential hours of illumination.
- The applicant has sought to overcome the issue, by externally lighting the totem, as opposed to internal illumination.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The previous application was refused due to the method, and potential hours of illumination of the proposed totem sign. This application revises this method of illumination, which is deemed to be more appropriate to the area. A condition will be recommended restricting the hours of illumination of the signage.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

Area of Special Control (Adverts)

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD5	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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

Paragraph 132 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'. Paragraph 3.1 of the Councils adopted Supplementary Planning Guidance for adverts confirms that '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 of an advertisement.

DESIGN AND VISUAL AMENITY

The majority of the signage proposed under this application for consent are set deep within the site for information/directional purposes, and are of a scale that is not considered to have any significantly harmful impact upon amenity of the site, or its locality. It is noted that the proposed fascia would be

internally illuminated, and if this were the case, the hours of its illumination would be controlled via planning condition. The siting of the fascia signage prevents any detrimentally harmful impact upon the locality due to it being set deep within the site itself.

The proposed totem sign has been revised since that refused under FG/82/19/A in that it is no longer internally illuminated, and is instead externally illuminated. This is considered to overcome the previous reason for refusal, in that the external lighting of the totem sign would appear appropriate within the area, especially given similar signs within the area.

PUBLIC SAFETY

In the evaluation of the sign consideration has been given to its impact upon public safety, it is vital to consider whether the advertisement itself 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 location and scale of the proposed advertisements are not considered to post a hazard to public safety. None of the proposed signage is located in locations, or are of scales that are uncommon along Littlehampton Road, and are as such, not considered to result in any change to the safety of the public in the area.

SUMMARY

In the absence of harm to amenity or public safety, 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 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:

- Location Plan - 100019980
- 88-HON-V14009-1.1 - SITE PLAN - 1/26 - ISSUE: 5 - 02.05.2019 - REV. B
- 88-HON-V14009-1.2 - SITE PLAN - 2/26 - ISSUE: 5 - 02.05.2019 - REV. D
- 88-HON-V14009-1.3 - FASCIA - FACE PANELS - 3/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.4 - FASCIA - BACK PANELS - 4/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.5 - FASCIA - TOP HAT BRACKETS - 5/26 - ISSUE: 5 - 02.05.32019 - REV. A
- 88-HON-V14009-1.6 - FASCIA - ISOMETRIC VIEW OF FIXING DETAILS - 6/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.7 - FASCIA - LOUVRE LENGTHS - 7/26 - ISSUE: 5 - 02.05.2019 - REV. B
- 88-HON-V14009-1.9 - LOUVRE - FIXING DETAILS - 9/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.13 - JUNCTION BOXES - INDICATIVE POSITIONS - 13/26 - ISSUE: 5 - 02.05.2019 - REV. B
- 88-HON-V14009-1.15 - FASCIA - ISOMETRIC VIEW - 15/26 - ISSUE: 5 - 02.05.2019 - REV. B
- 88-HON-V14009-1.16 - FASCIA - LOGO DETAILS - 16/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.17 - SIGN C - 5.2M PYLON SCREEN - 17/26 - ISSUE: 5 - 02.05.2019 - REV. A
- 88-HON-V14009-1.18 - LOUVER - 150 DFBM BRACKET - 18/26 - 02.05.2019 - REV. A
- 88-HON-V14009- 1.19 - SIGN D - ENTRANCE FEATURE - 19/26 - 02.05.2019 - ISSUE: 5 - REV. B
- 88-HON-V14009-1.22 - SIGN E - DIRECTIONAL SIGN - 22/26 - 02.05.2019 - ISSUE: 5 - REV. A
- 88-HON-V14009-1.24 - SIGN F - PARKING SIGNS - POST MOUNTED - 24/26 - 02.05.2019 - ISSUE: 5 - REV. B
- 88-HON-V14009-1.25 - 25/26 - SIGN F - PARKING SIGNS - POST MOUNTED - ISSUE: 5 - 02.05.2019 - REV. C

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Supplementary Planning Guidance and the NPPF.

- 3 The signs hereby approved shall not be illuminated except between the hours of:

08.00 to 18.00 Daily.

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies with the Supplementary Planning Guidance and the NPPF.