

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FG/200/21/A

LOCATION: Yeomans Peugeot
Littlehampton Road
Ferring
BN12 6PB

PROPOSAL: Installation of 2 x internally illuminated fascia signs and 1 x non-illuminated pylon sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This proposal seeks to install two internally illuminated fascia signs to the front elevation of the premises and one non illuminated pylon sign situated on the front boundary.
SITE CHARACTERISTICS	A car dealership retail unit, located within a designated vehicle sales premises, with parking to the front and sides and storage and service yard to the rear.
CHARACTER OF LOCALITY	The character of locality is primarily commercial, with residential and agricultural uses located nearby. The site is located directly next to the A259 (eastbound), from which it can be accessed, and has several neighbouring warehouses including Honda and Highdown Garden Centre.

RELEVANT SITE HISTORY

FG/120/21/A	Installation of 2 x internally illuminated fascia signs and 1 x internally illuminated pylon sign	Refused 28-09-21
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

Relevant planning history noted.

REPRESENTATIONS

Ferring Parish Council - No response.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

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 (Adverts)
CIL Charging Zone 3

DEVELOPMENT PLAN POLICIES

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

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
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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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

The key policies concerned with this application are D DM4, NPPF and NPPG.

Paragraph 132 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.

BACKGROUND

An earlier application for similar works was refused in 2021. This proposal has amended the refused assets by altering the dimensions and illumination of the signage.

AMENITY

Being located in an area that could be classed as semi-rural, WSCC guidelines state that in areas of 'Low district brightness' no more than 400cd/m² should be allowed on signage under 10m². The illuminated signage proposed in this application measure lower than the 10m² threshold and have a brightness of 500cd/m².

The illuminated fascia signs will be located to the front elevation of the premises and will replace existing signage, making the appearance of premises more modern. Despite being higher than WSCC guidelines, given their size and location, the illumination of signs is not considered to be unacceptable and will produce a minimal amount of light pollution. The signs will not be unduly harmful to the local amenity.

The pylon sign to the front of the site will be free standing and non illuminated. It will replace an existing pylon. The height of the sign has been reduced by 2m from the previous refused application and is now of an acceptable size, being around 1m lower than, but of similar width to the existing. Therefore, it is no longer deemed obtrusive and is considered to pose less harm upon the appearance of the street scene. Its impact upon the street scene is additionally reduced by it being non-illuminated, helping to ensure it sits sympathetically within the character of the area and is less visually intrusive. The sign is not considered to have adverse impact upon local amenity or upon that of nearby residents.

This proposal is in accordance with D DM4 of the Arun Local Plan.

PUBLIC SAFETY

In terms of public safety, it needs 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 location and scale of the signage affixed to the building is not considered to pose a hazard to public safety, nor is the pylon. Although located by the road and clearly visible by road users, due to being non-illuminated and smaller than the existing, the sign does not pose adverse risk upon public safety.

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

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 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 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.

- 5 The intensity of illumination of the 2 proposed signs shall not exceed 500 cd/m²

Reason: In the interests of the visual amenities of the locality in accordance with the NPPF

- 6 The illumination of the 2 proposed signs shall be of a non-intermittent type.

Reason: In the interests of the visual amenities of the locality in accordance with the NPPF