

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FG/82/19/A

LOCATION: Yeomans Honda Worthing
Littlehampton Road
Ferring
Worthing

PROPOSAL: Advertisement Consent for 2no. Internally illuminated Fascia Signs, 7no. Ali Panels, 8no. Wall Mounted Signs, 3no. Banner Frames, 4no. Pole Mounted Signs and 1no. Internally Luminated Totem Sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks advertisement consent for 2no. Internally illuminated Fascia Signs, 7no. Ali Panels, 8no. Wall Mounted Signs, 3no. Banner Frames, 4no. Pole Mounted Signs and 1no. Internally Luminated Totem Sign.
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/228/18/PL	Additional office space & supporting facilities (amendment to FG/39/18/PL). This application is a Departure from the Development Plan.	ApproveConditionally 10-04-19
FG/39/18/PL	Demolition of existing property & outbuildings; erection of new Motor Dealership with Showroom, Offices & Motor Vehicle Workshop (including MOT) & new Head Office Facility adjoining the existing Peugeot building on site including associated hard & soft landscaping & associated supporting facilities. This application is a Departure from the Development Plan.	ApproveConditionally 09-08-18

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Ferring Parish Council

Parish Council - Objection.

- The site is adjacent to the strategic gap.
- There are concerns relating to the large internally illuminated totem sign on the front elevation.
- The two signs on the site frontage constitute overdevelopment.
- The signage is distracting to drivers.
- There are concerns relating to the potential hours the signage is illuminated.
- The Parish draw Officers to an advertisement consent application in the area, that was refused in 2018.

Ferring Conservation Group - Objection

- There is no need for any more signage.
- The building dominates the street scene.
- Advertising signs constitute overdevelopment, and appear out of character.
- Large lorries park on the carriageway, or the footpath.
- The advertisement signs are distracting to drivers.

24 letters of objection:

- The proposal would cause a rural area to become 'densely commercial'.
- The signs are unsuitable for the area, and are unattractive.
- The signs are excessive.
- The signs increase light pollution in the area.
- The signs have a harmful impact upon the South Downs.
- 26 signs is 'over the top'.
- The existing structure overlooks neighbouring properties.
- The signs are unnecessary.
- Car transporters park on the road, or footpath.
- The advertisement signs were not in the original planning permission.
- If the signage was face illuminated, as opposed to internal it would be better.
- Illumination should be time restricted to turn off at 8-9pm.

COMMENTS ON REPRESENTATIONS RECEIVED:

The representations are noted, and the majority of comments will be addressed in the conclusion section. The area is not considered to be rural, and is instead considered to be semi-rural. The Council's position is not to consider the effectivity of the advertisements, only potential harm to public safety and/or the amenity of the area. The parking of car transporters is unaffected by this advertisement consent application. The advertisement signs were not in the original planning permission because advertisements are considered under advertisement legislation which are subject to a separate application. There are considered to be similar examples of advertisements within the area.

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

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
------	----------------

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.

However, the proposed totem sign stands at a maximum height of 5.2m, which is higher than the sign present on the site directly adjacent to the application site (at the Peugeot site), however, as this is only by 0.2m, it is not considered to be overly dominant within the street scene. In spite of this, the proposed sign is intended to be internally illuminated, which is wholly inappropriate for the siting of the proposed totem sign. This is due to its prominent corner siting, within a semi-rural locality, the unattractive method of illumination would result in the sign being visible and incongruous within the wider locality. It is considered that an approach similar to the adjacent Peugeot site would be preferable, and not introduce a sign of which is harmful to the amenity, and appearance of the locality. This would involve using up-lighting to illuminate the faces of the signs, as opposed to having the lighting internally, which is considered to be more appropriate in the area.

Therefore, the proposed signage application is considered to be harmful to the amenity of the both the application site and the wider locality, in that it introduces an large, internally lit sign into a semi-rural location.

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

Applications for Advertising Consent have to be assessed according to their effect on amenity and public safety. The applicants have not taken on board any of the public representations and comments from the parish councils and local neighbourhood groups. Whilst any illuminated signs may be able to be reasonably controlled by condition, it is considered that the type of illumination would be unsuitable within this location, which cannot be controlled via condition.

The majority of signs are functional signs designed to ensure the efficient and safe running of the site and these are acceptable. However the totem sign, due to its size and its method and intensity of

illumination, is considered to have a negative and unacceptable effect on amenity.

It is concluded that the proposed totem sign is contrary to the National Planning Policy Framework paragraph 132 in that they will clearly have an appreciable impact on its surroundings and is harmful to amenity.

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

REFUSE

- 1 The proposed totem sign at the site frontage due to the means of illumination and potential hours of illumination would give rise to an unacceptable adverse impact on the visual amenities of the locality in conflict with the Supplementary Planning Guidance and the NPPF.