

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FP/130/24/A

LOCATION: Blakes Cottage 1 Blakes Road
Felpham
PO22 7EB

PROPOSAL: Temporary erection of 1 No. vinyl banner.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for a temporary vinyl advertisement banner.
SITE CHARACTERISTICS	The site is occupied by a detached two storey dwelling. The property is Grade II Listed and is also located within Felpham Conservation Area.
CHARACTER OF LOCALITY	The area is predominately residential.

RELEVANT SITE HISTORY

FP/49/24/L	Listed building consent for the repair or replacement of structural roof timbers and the carrying out of rethatching of the roof including making good and redecoration of internal finishes affected by the works.	ApproveConditionally 24-05-24
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Noted.

REPRESENTATIONS

Felpham Parish Council provided no objection and requested a review period of 12 months.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Conservation Officer - The banner would be attached to scaffolding which has been erected as part of the protection of the listed building, which has been identified as at risk. The banner is provided information regarding the ongoing restoration of the property. Whilst the banner is of some size, it is

noted that it is intended to be used for a temporary period of time. It is noted from the application form that the banner would be there for the next 12-24 months while the scaffolding is in place. Whilst the banner is some considerable size, the temporary nature, along with the link to the ongoing restoration of the cottage, means that it is acceptable in this instance and would not cause harm to the significance of the heritage asset.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The applicant has confirmed the advert is to be in place for a maximum of 3 years as opposed to 12-24 months which is mentioned in the application form (the form also specified a 3 year date for removal) and the Conservation Officer has confirmed this would be acceptable.

POLICY CONTEXT

Grade II Listed
Felpham Conservation Area

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 141 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."

DESIGN AND VISUAL AMENITY

The proposed advert would consist of a vinyl banner. This is large with a width of 4.3m and a depth of 1.6m. This is not attached to the listed building but would be attached to scaffolding to its front elevation which front Blakes Road. The advert would be in place whilst restoration works take place and is therefore temporary in nature.

Whilst there are few adverts in the vicinity due to its temporary nature the advert would be acceptable in design terms.

PUBLIC SAFETY

In terms of public safety, it has to be considered 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 proposed advert by virtue of its location, attached to scaffolding is not considered to have an adverse impact of the safety of pedestrians or road users.

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

- Location Plan
- Proposed Advert Details

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policy D DM1 of the Arun Local Plan.

- 2 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.

- 3 No advertisement shall be sited or displayed so as to-
1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 3. 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.

- 4 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.

- 5 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.

- 6 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.

- 7 The advertisement hoarding hereby permitted shall be removed on or before the expiration of

the period ending on 15/09/2027 or upon completion of the restoration works permitted whichever is the sooner.

Reason: In the interests of the visual amenities of the locality in accordance with DDM1 of the Arun Local Plan.