

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FP/136/14/A

LOCATION: Phase 4&5
Site 6
Felpham

PROPOSAL: Various illuminated and non-illuminated advertisements at various locations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Various illuminated and non-illuminated advertisements/signs within different parts of the Sales Area.

- Sign A is a sign at the end of car parking spaces identifying it as 'visitor parking'. The sign measures 600mm in height and 900mm in width. There will be 5 signs for the six car parking spaces.
- Signs B, C and D are low level sign in front of the marketing suite measuring 600mm in height and 400mm in width.
- Sign E is located on the corner of the junction adjacent to the gable wall of the marketing suite and is a free standing sign measuring 3.56m in height x 1.9m in width.
- Sign F - is located at the end of the visitor car parking area and will measure 2.56m in height x 1.0m in width.
- Sign G - is a free standing sign located on the verge adjacent to the entrance to phase 5. It measures 2.44m in height x 2.44m in width

None of the signs are proposed to be illuminated.

The signage will be similar to that approved under FP/44/14/A. This granted consent for signage for Phase 5A marketing and sales area.

SITE AREA

N/A

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

Currently a building site but essentially flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

N/A

SITE CHARACTERISTICS

The site is part of the development site of Site 6. Currently building/construction works are taking place on the site.

CHARACTER OF LOCALITY

Predominantly residential.

RELEVANT SITE HISTORY

FP/44/14/A

Various illuminated and non illuminated advertisements on various elevations.

ApproveConditionally
08-05-2014

Signs approved under FP/44/14/A were for phase 5A. The signs proposed under this application are for phase 4 and 5 and will serve a separate marketing suite.

REPRESENTATIONS

Representations received:

Felpham Parish Council

Felpham Parish Council - No objection

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Site 6 Felpham.

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

[Publication Version of the Local Plan \(October 2014\):](#) D DM1 Aspects of Form and Design Quality

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4

Supplementary
Advertisements.

Planning

Guidance

for

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

The proposed signs are of various heights. They will be dotted around the sales area site which itself is just south/south west from the new main road which runs east/west. Some of the signs will be static illuminated to 600cd/m².

Paragraph 77 of the NPPF 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."

These signs are required by the sales arena site and will therefore only be required for as long as the new houses are being sold. On this basis and in the knowledge that the surrounding area has not yet been built (but in any case that the signs are a sufficient distance from nearby proposed dwellings), it is considered that there is no impact on visual amenity. The signs do not impact upon any public highway and therefore there are no impacts on highway safety.

It is therefore recommended that the application is approved as follows.

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 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 (negative, Neutral or positive) 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:

PLAN--LOC/PH.4-5/130912/01/12111;
Phase 4 & 5 Re-plan PLAN-SALES/PH.4-5/130912 Rev C;
PS14859 - Issue 4 30.09.14 Sign Type A
PS14859 - Issue 4 30.09.14 Sign Type B
PS14859 - Issue 4 30.09.14 Sign Type C
PS14859 - Issue 4 30.09.14 Sign Type D
PS14859 - Issue 4 30.09.14 Sign Type E
PS14859 - Issue 4 30.09.14 Sign Type F
PS14859 - Issue 4 30.09.14 Sign Type F
Mark Up RB - 15/10/14 - Sign Type G

Reason: For the avoidance of doubt and in the interests of amenity and the environment.

- 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-

(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.

- 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 intensity of illumination of the proposed Type B, C & D signs shall not exceed 600 cd/m²

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

- 8 The illumination of the proposed Type B, C & D sign shall be of a non-intermittent type.

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

- 9 **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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.