

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: FP/42/17/A

LOCATION: The Southdowns
133 Felpham Way
Felpham

PROPOSAL: Various illuminated & non-illuminated signage at various locations within the site

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Item 1 - Sign written house name and logo, externally illuminated with lamp to 250cd/m
Item 2 - Sign written stamp, externally illuminated with lamp to 180cd/m
Item 3 - Refurbish existing lollipop correx sign and add a new logo to top, externally illuminated with lamp to 180cd/m
Item 4 - Refurbish existing totem sign-externally illuminated with lamp to 185cd/m
Item 5 - Refurbish the existing landscape correx sign and add a new logo to the top-internally illuminated to 180cd/m.
Item 6 - Internally illuminated (180cd/m) logo sign
Item 7 - Sign written stamp- externally illuminated to 180cd/m
Item 8 - Small car park sign- non-illuminated
Item 9 - Small car park sign- non-illuminated
Item 10 - Refurbish the existing landscape correx sign and add a new logo to the top-non-illuminated.

SITE AREA

0.13 hectares.

TOPOGRAPHY

Predominantly flat.

SITE CHARACTERISTICS

Large corner plot with detached two storey mock Tudor pub & restaurant building. Garden to side with car parks to each side and detached single storey outbuilding. Various illuminated and non-illuminated signs already in place.

CHARACTER OF LOCALITY

Predominantly residential area characterised by semi-detached and terraced two storey dwellings and some commercial premises and shops to the south.

RELEVANT SITE HISTORY

FP/14/89/A	10 illuminated signs including 1 swinging board sign and 1 pole sign.	Apprvd/Cond ADV 20-02-1989
FP/156/98/A	2 no internally illuminated advertisement panels forming integral part of bus shelter	Apprvd/Cond ADV 28-01-1999
FP/145/00/A	Two sets of "Ember Inns" copper lettering internally illuminated and two sets of "The Southdowns" copper lettering externally illuminated on beacon structure.	Apprvd/Cond ADV 10-11-2000
FP/224/00/A	3 externally illuminated signs	Apprvd/Cond ADV 25-01-2001
FP/196/08/A	Various illuminated and non-illuminated signage	ApproveConditionally 26-11-2008

Existing signage approved in 2008

REPRESENTATIONS

Representations received:

Felpham Parish Council

No objection.

No public representations received.

Comments on Representations received:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

WSCC (Strategic Planning- Highways)

WSCC do not provide highways comments for signage/ advertisement consents as you have standing advice to follow. If this is a special case and the standing advice cannot be followed then the reasons why need to be given along with the application.

Comments on Consultation responses:

Comments noted. This is not considered to be a special case.

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
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

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 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.

AMENITY

The signs would be of a reasonable size, design and appearance. The level of signage whilst increase is not significantly different from the existing signage in terms of visual impact. Overall

impact on visual amenity is acceptable and would not have an unacceptable impact on the appearance of the area or building. The level of illumination of the signs would be within the guideline set out in the 'Illuminated Signs Standing Advice', so would limit impact to neighbouring residential dwellings. Therefore, the proposal is not deemed to adversely affect the visual amenity of the area.

PUBLIC SAFETY

In the evaluation of the proposed signs 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 these signs is not considered to pose a hazard to public safety.

CONCLUSION

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

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 advertisements hereby approved shall be carried out in accordance with the following approved plans:-

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Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the Arun District SPG: Advertisements and the National Planning Policy Framework.

- 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 signs shall not exceed the following levels of illumination:-

Item 1 - externally illuminated with lamp to 250cd/m
Item 2 - externally illuminated with lamp to 180cd/m
Item 3 - externally illuminated with lamp to 180cd/m
Item 4 - externally illuminated with lamp to 185cd/m
Item 5 - internally illuminated to 180cd/m
Item 6 - Internally illuminated to 180cd/m
Item 7 - externally illuminated to 180cd/m

Reason: In the interests of the visual amenities of the locality in accordance with the Arun District Council SPG: Advertisements and the National Planning Policy Framework.

8 The illumination of the signs shall be of a non-intermittent type.

Reason: In the interests of the visual amenities of the locality in accordance with Arun District Council SPG: Advertisements and the National Planning Policy Framework.

9 The advertisements hereby permitted shall not be displayed before the existing advertisements displayed on the premises shall have been removed or permanently obliterated to the satisfaction of the Local Planning Authority.

Reason: To avoid an excessive display of advertising material in the interests of the appearance of the locality in accordance with the NPPF.