

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/153/14/A

LOCATION: Plots 25-28
Land Parcel 1A
Land at Courtwick Lane South of Railway Line Littlehar

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

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Proposals consist of the following;

10 x flag advertisements on the southern side of the access road that runs parallel to the A259 on the southern edge of the site. These are 5.4m high with the flag being 2.77m x 0.96m.

5 x flag advertisements on eastern side of the access junction with the A259. These are 5.4m high with the flag being 2.77m x 0.96m.

1 x illuminated double sided advertisement board on the western side of the access junction measuring 2.4m in height x 4.8m in width. This is located below the level of the adjoining roads.

1 x illuminated v-board sign at the eastern side of the access junction. The sign measures 5m in height with the adverts measuring 2.57m x 1.9m each.

1 x illuminated totem double sided sign located adjacent to the footpath within the southern landscape area. This measures 4.9m in height x 1.3m in width

The advertisements are joint advertisements for both developers (Barratt & Bellway).

SITE AREA

n/a

RESIDENTIAL DEVELOPMENT DENSITY

N/A

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT	The front of the site is open to the landscape area that adjoins the A259.
SITE CHARACTERISTICS	New residential development site.
CHARACTER OF LOCALITY	New residential development site.

RELEVANT SITE HISTORY

LU/355/10/	Outline application with some matters reserved for mixed use development comprising: up to 600 residential dwellings (including up to 30% affordable housing), up to 4,000 sqm of B1a and B1b employment floorspace, up to 235 sqm of A1/A2/A3 local facilities, structural planting and landscaping, multi functional green infrastructure including sports pitches (and associated changing facilities), informal open space, children's play areas, allotments and surface water attenuation, on-site pedestrian/cycle/bus emergency only access from Courtwick Lane and ancillary works. This application is the subject of an Environmental Impact Assessment & a departure from the Development Plan.	Approved Cond + S106 23-03-2012
LU/244/13/	Application for approval of reserved matters following outline application LU/355/10 for the appearance, landscaping, layout and scale of 70 dwellings (including 20 affordable dwellings) within land parcel 1B. Departure from the Development Plan.	ApproveConditionally 14-11-2013
LU/248/13/	Application for approval of reserved matters following outline approval LU/355/10/ for Phase 1 (115 No units including 29 affordable houses) for layout, appearance, scale, access and landscaping of dwellings. This is a Departure from the Development Plan.	ApproveConditionally 14-11-2013
LU/152/14/PL	Temporary sales area with advertisements for marketing of housing development (at plots 25-28 of LU/248/13).	ApproveConditionally

Planning permission exists for approx. 450 in full detailed form. There is reserved matters for a total of 600. The development has commenced and the proposed sales area will serve the development for a number of years to come.

REPRESENTATIONS

Representations received:

Littlehampton Town Council

Littlehampton Town Council- No objection

Comments on Representations received:

Noted

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

None

Comments on Consultation responses:

n/a

POLICY CONTEXT

Designation applicable to site:

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN7](#)

The Form of New Development

[Publication Version of the Local Plan - Excluding the Spatial Portrait, Employment, Housing Allocations, Transport, Monitoring and Implementation sections \(February 2014\):](#)

QE SP1 Quality of the Environment

PLANNING POLICY GUIDANCE

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

report

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

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. Furthermore, the proposed candela level is considered to be well below the limits for this area. 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 neutral 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).

RECOMMENDATION

APPROVE CONDITIONALLY

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

6125/AD/01 - Advertisement Locations
Item A - Totem Sign
Item A - Large Display Board
Item A - Main Medium V-Board
Item C - Kingley Gate Flags
Photographs 1A, 2A, 3A, 4A, 5A, 6A AND 7A.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District 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-

(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 The advertisements hereby approved shall be removed from the site prior to 1 September 2018.

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

- 10 **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.