

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/211/20/A

LOCATION: Block B, Unit Q
Arndale Road
Littlehampton
BN17 7GA

PROPOSAL: 2 No non illuminated fascia signs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to install 2 x non-illuminated aluminium powder-coated fascia signs.
SITE CHARACTERISTICS	Industrial unit (Unit Q) within Block B, a single storey steel construction building with pitched roof which consists of 2 industrial units.
CHARACTER OF LOCALITY	Primarily industrial - within OYO Lineside Industrial Estate. To the north, south and west other industrial/commercial units. To the east, the unit borders the Sea Scout Group grounds and hall and local allotments.

RELEVANT SITE HISTORY

LU/210/20/PL Installation of 3 No. flues. This application is in CIL Zone 4 (Zero Rated) as 'other development'.

Noted.
Concurrent application (LU/210/20/PL) for installation of 3 flues to Unit Q.

REPRESENTATIONS

Littlehampton Town Council - no objection.

No other representations received.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

No comments received from Environmental Health or WSCC Highways.

COMMENTS ON CONSULTATION RESPONSES:

Noted.

POLICY CONTEXT

Designation applicable to site:

Flood Zone 2

Within Built-Up Area Boundary

Mineral Consultation Area

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

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 Arun District Council Supplementary Planning Guidance (SPG) 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 the surroundings of an advertisement.

DESIGN AND VISUAL AMENITY:

The ADC Advertisement SPG states that non-illuminated, high level signs will generally be accepted in the industrial and commercial areas of the district, providing that they are designed to complement the building on which they are displayed.

The proposed 2 fascia signs would be non-illuminated and sited at a high level on the building. The proposed signs are considered to be of an acceptable siting, scale, design and appropriate to the scale and style of the building. Given the context of other signage within the industrial area and the proposed siting, scale and design, the signs would have a limited impact upon the character of the locality and have an acceptable impact on visual amenity.

RESIDENTIAL AMENITY:

Due to the siting of the proposed signage (within an Industrial Estate some distance from residential properties) and that the signs would be non-illuminated there would be no impact on residential amenity (e.g. in terms of light pollution etc.).

PUBLIC SAFETY:

In the evaluation of the advertisements, consideration must be given to their impact upon public safety. It is vital to consider whether the advertisement itself or its location are likely to be so distracting or so confusing to those passing it, that it creates a hazard and endangers peoples safety (e.g. drivers etc.). The location, scale, design of the proposed signage, combined with the fact it would be non-illuminated, means it is not considered to pose a hazard to public safety.

SUMMARY:

In the absence of harm to amenity (visual and residential) 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:

Proposed Elevations (Drawing No. REV/CP/2020/46/08), received 18/08/2020

Proposed Signage (Drawing No. REV/CP/2020/46/09), received 18/08/2020

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D SP1 and D DM1 of the Arun Local Plan, Arun District Council's Advertisements SPG, and the National Planning Policy Framework.

- 2 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.

- 3 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.

- 4 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.