Recommendation Report for Consent to Display an Advertisement(s)

REF NO: **LU/249/13/A**

LOCATION: New Look
37 High Street
Littlehampton

PROPOSAL: 1 no internally illuminated fascia sign to the south elevation

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The advertisement will replace the existing 'New Look' sign on the front facade of the building. It measures approximately 4.4m in length, approximately 0.75m in width and approximately 0.01m in depth. It is set at approximately 2.25m above the ground.
SITE AREA	Approximately 85 square metres.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front boundary is defined by pedestrianised High Street.
SITE CHARACTERISTICS	A three storey building with a retail unit on the ground floor with residential above. The shop front has smooth rendered edging painted white around the window display and main sign. Elevations above are brown brickwork with a pitched roof.
CHARACTER OF LOCALITY	The site is situated in a pedestrianised High Street with other commercial units on ground floors with residential and offices above. Illuminated advertisements are a feature of this central retail and trading area.

RELEVANT SITE HISTORY

LU/18/03/A	One illuminated fascia sign.	Apprvd/Cond ADV 28-02-2003
LU/352/10/A	1No. internally illuminated aluminium suspended sign.	ApproveConditionally 10-12-2010

REPRESENTATIONS

Representations received:

Littlehampton Town Council

No objection.

Comments on Representations received:
Noted.

CONSULTATIONS

WSCC Strategic Planning
Environmental Health

Consultations responses received:

West Sussex County Council Highways.
Upon inspection of the plans, it does not appear that this sign is in a location where it could obstruct the highway. There are no anticipated highway concerns.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: GEN33 Light Pollution

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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

DESIGN AND VISUAL AMENITY
This application considers an internally illuminated sign to replace an existing sign of similar dimensions and in the same location on the front facade of the building.

There are a number of internally illuminated signs on other shop fronts in this High Street location and so the proposed sign can be accommodated without loss of character to the area. Since the sign replaces one that is existing with near identical dimensions, it is considered that there will be no increased harm to the appearance of the site or its surrounding area.

RESIDENTIAL AMENITY
The sign will be positioned directly below residential use on the first and second floors of the building. However, the method of illumination is contained through its design and its luminance output limited to accord with guidance as set down in Standing Advice by West Sussex County Council Highways department. Additionally, a consultation with this department has raised no objection with this sign since it is in a location where it does not obstruct the highway. It therefore complies with Local Plan policy GEN33(i), (iii).

It is therefore recommended that the application is approved, subject to the following conditions.

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 family and private 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, a neutral impact has 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 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.

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.

5 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.

6 The intensity of illumination of the proposed sign shall not exceed 800 candelas per square metres (800cd/m2).

Reason: In the interests of the visual amenities of the locality in accordance with policy GEN33 of the Arun District Local Plan.