

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/253/25/A

LOCATION: Fitzalan Link Road
Wick
Littlehampton
BN17 6FE

PROPOSAL: Installation of various signage.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	Construction of new residential development is underway, with the site viewable from Fitzalan Road.
CHARACTER OF LOCALITY	Mixed residential.

REPRESENTATIONS

Littlehampton Town Council - No objection.

No representations were received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 141 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'. 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.

DESIGN AND VISUAL AMENITY

The proposal seeks the installation of hoarding, 14 flags, 1 free standing stack sign and 1 V board sign in connection with the residential development of dwellings on land to the north of Littlehampton Academy (Summer Link). None of these signs are illuminated but all promote the site and developer or provide information to potential buyers. The advertisements are located along Fitzalan Road and are all highly prominent. This is to be expected as they provide information to proposed buyers and those unfamiliar with the new community being developed.

The hoarding would measure 115m long and 2.4m high and flags would be sited behind it. The flags would be 1m wide, by 2m high, and would have a total height of 4.6m. The V board sign would measure 5m high and 2.4m wide. The free standing stack sign would measure 6.1m high and 2.4m wide. The advertisements are located on an exposed section of road however this section of road does not consist of any dwellings for which the potential noise arising from the flags movement could be an issue. The proposal is typical of advertisements for new residential development, and is not unduly harmful. The hoarding, flags and signs are temporary advertisements, and would be removed on or before 20 December 2027.

The advertisements will not be unduly harmful to the area and do not pose adverse impact upon visual amenity. There is also minimal harm posed upon residential amenity due to the location of the site. The advertisements are therefore acceptable for the time period outlined on the submitted application form, in accordance with the NPPF.

PUBLIC SAFETY

In terms of public safety, it has to be considered whether the advertisement 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 site is set back from the highway and would not negatively impact public safety.

SUMMARY

In the absence of harm to amenity or public safety in accordance with the NPPF, 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

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 permitted shall be removed on or before the expiration of the period ending on 20/12/2027 or upon completion of the development permitted pursuant to the planning permission dated under Ref. No LU/299/22/PL, whichever is the sooner.

Reason: In the interests of the visual amenities of the locality in accordance with the NPPF.
- 2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan
- Signage Details

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the NPPF.
- 3 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 and Country Planning (Control of Advertisements) Regulations 2007.

4 No advertisement shall be sited or displayed so as to -

1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
3. 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 and 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 and 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 and Country Planning (Control of Advertisements) Regulations 2007.

7 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 and Country Planning (Control of Advertisements) Regulations 2007.