

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/297/18/A

LOCATION: Locomotive Inn
74 Lyminster Road
Wick
Littlehampton

PROPOSAL: Various illuminated & non-illuminated advertisements on front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE CHARACTERISTICS	Property is a Grade II Public House, surrounded by residential dwellings. Railway line adjacent to the property and a small shop opposite.
CHARACTER OF LOCALITY	Residential area.

RELEVANT SITE HISTORY

LU/358/14/A	2 No externally illuminated fascia signs on front elevation, 1 No externally illuminated hanging sign on front elevation & 3 No non-illuminated hoarding signs to front elevation.	Part Apprv/Part Refu 23-01-15
LU/301/18/L	Listed building consent for the erection of various illuminated & non-illuminated signs to exterior of building.	

Application submitted for Listed Building Consent in conjunction with this application - reference LU/301/18/L

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council
Littlehampton Town Council:
No objection received from Littlehampton Town Council.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Historic England

CONSULTATION RESPONSES RECEIVED:

Historic England:

Do not wish to comment on this application.

Conservation Officer:

The listed building consent application relates to the provision of various illuminated and non-illuminated advertisements on the front elevation of the property.

The property is a two storey, detached public house with flint elevations, red brick quoins and a slate roof. A modern single storey brick extension is present on the southern side elevation. It has been listed, grade II.

The building is set back from the road by an area of grass and hardstanding. There is also a beer garden to the side, which has a pergola as a means of access

The general approach to maintaining the current appearance is considered to be suitable for the property. The provision of too much signage can lead to a cluttering of the elevation which detracts from its character, and therefore significance. I provide the following comments regarding the signs, and the proposed colours etc.:

Signs 'a' and 'b' are similar in appearance to the existing signs, albeit with the main difference being the new decorative elements. As such, they are considered to be acceptable.

Signs 'c' and 'f' are new which are intended to display a mixture of permanent and temporary information, via a lockable poster case. It is considered that the messages displayed on the permanent boards have already been presented on the main post sign, and are not needed to be presented again. The introduction of four new signs here would cumulatively lead to a cluttering of the principal elevation of the building, and would detract from its appearance and character. As a consequence, these elements are not capable of support.

I note from the information provided for sign 'd' that the intention is to replace the material used from wood to aluminium. Such a proposal is unfortunate, and ideally the existing traditional should be used. However, on balance such a material can be used as it reflects the material used on the other existing signs. The refurbishment of sign 'e' is acceptable and it only affects something which was erected a number of years ago.

Sign 'g' consists of three new brass lanterns to the main entrance and garden entrance signs ('d' and 'e'). It is noted that two of the lanterns will replace an existing trough light on sign 'd', whereas the lantern proposed for sign 'e' will be a direct like for like replacement. It is considered that this approach is acceptable as it will not harm the character of the building.

Sign 'h' relates to the installation of 4 new LED floodlights across the front elevation. This would

effectively double the number of lights. I am concerned that the lighting could be such that it would potentially excessively illuminate the building. If this is not the case, and the lighting would be such that it would make a feature of the building it is considered to be acceptable. It is recommended that a warm shade be used.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted. The agent has agreed to reduce the number of Amenity boards (Signs C and F) as per advice provided from the Conservation Officer. The Conservation Officer has verbally agreed to 1No Amenity Board (Sign C).

POLICY CONTEXT

Designation applicable to site:
Within the Built up area boundary
Grade II Listed Building.

DEVELOPMENT PLAN POLICES

[Arun Local Plan 2011 - 2031:](#)

DDM4 D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG 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

Paragraph 132 of the National Planning Policy Framework (NPPF) states that 'advertisement should be subject to control only in the interest of amenity and public safety, taking account of cumulative impacts'. Paragraph 3.1 of the Council's adopted supplementary Planning Guidance for advert 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 visual effect on its surrounding of an advertisement.

AMENITY

Given the extent of advertisements already present on the site and in the immediate vicinity the design and location of the proposed adverts are not considered to have an unacceptably adverse impact upon visual amenity nor will the residential amenity of nearby properties be unacceptably affected.

The proposed adverts will reflect the established character of the host building and will be of a scale in keeping with the historic character and features of the existing building. Therefore, it is concluded that the proposal will not result in any unacceptable adverse harm to amenity.

PUBLIC SAFETY

In terms of public safety, it has to be considered whether the proposed advertisement itself or the locations are likely to be so distracting or confusing, that they create a hazard, or endanger people in the vicinity who are taking reasonable care for their own, or others, safety. The proposed adverts by virtue of their location and size are not considered to have an unacceptably adverse impact on the safety of pedestrians or road users.

SUMMARY

The advertisements in terms of size, materials, illumination and layout are not considered to have an unacceptably adverse impact upon amenity or public safety. Therefore, it is recommended that advertisement consent is granted subject to the below 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 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:

- Location Plan (1:1250)
- Substitution 14.03.2019 13068 Planning Signage Spec LB
- Substitution 14.03.2019 13068 Planning Elevation AH

Reason: For the avoidance of doubt and in the interests of amenity and the environment.

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 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 200 candelas per m2.

Reason: In the interests of the visual amenities of the locality in accordance with policy D DM1 of the Arun Local Plan and in accordance with public and highway safety in accordance with policy T SP1 of the Arun Local Plan.

7 The illumination of the proposed sign shall be of a non-intermittent type.

Reason: In the interests of the visual amenities of the locality in accordance with policy D DM1 of the Arun Local Plan.

8 The advertisements hereby permitted shall not be displayed before the existing advertisements displayed on the premises 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 policy D DM1 of the Arun Local Plan.