

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/307/19/A

LOCATION: 5 Arundel Road
Littlehampton
BN17 7BY

PROPOSAL: 1x internally illuminated fascia sign & 1x internally illuminated projecting sign.

SITE AND SURROUNDINGS	
DESCRIPTION OF APPLICATION	The application seeks advertisement consent for 1No. internally illuminated fascia sign & 1No. internally illuminated projecting sign.
SITE AREA	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	No boundary demarcation to front of premises. Walling enclosing parking area. Gated access to rear.
SITE CHARACTERISTICS	The site comprises a single storey unit within a small parade (comprising 3 units) at the western end of Littlehampton Town Centre, covering an area of approximately 847sqm. The unit has a gross internal area of 102.9sqm and incorporates a sales floor area with a back-office area, staff kitchen and WC. The shopfront is predominantly glazed with a single door on the left hand side of the unit, adjacent to a window display area. There is a retractable canopy above the existing shopfront. The previous use was a retail unit for trophies and medals. To the west of the unit is a loading and bin storage area accessed from Albert Road. A private car parking area to the north of the site, containing 10 spaces, is reserved for customers of the 3 units within the parade.
CHARACTER OF LOCALITY	The site fronts Arundel Road, which joins the High Street approximately 40m to the south. It is bound by residential and retail uses to the north and south, and Arundel Road to the east (with Littlehampton United Church on the opposite side of the road). Further to the south is the High Street, which contains a mix of retail uses, with residential accommodation at first floor level.
RELEVANT SITE HISTORY	

LU/164/19/PL	Change of use from trophy/medal shop (A1 shops) to hot food takeaway (A5 Hot Food Takeaway), shopfront amendments, installation of extract outlets on north & west elevations, installation of condenser unit on north elevation & installation of roof-mounted extract flue & fresh air intake pipe.	ApproveConditionally 04-10-19
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Noted.

REPRESENTATIONS

Parish Council - No objection.

3 letters of objection: (One was detailed as 'support' at though predominantly asks questions of the proposal)

- There are no details of how bright the signage will be, or which direction the light will travel.
- The signs were put up before consent was given.
- The signage is bright.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted. The application form details the signage as being 300 candelas.

CONSULTATIONS

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Built up area boudary

DEVELOPMENT PLAN POLICIES

PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD5	Advertisements
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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 Councils adopted Supplementary Planning Guidance 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 its surroundings of an advertisement.

DESIGN AND VISUAL AMENITY

Given the extent of advertisements historically present at the site, and those in the immediate vicinity of the site, the design and location of the proposed advert is not considered that to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected.

The application site is considered to be within Designated Area E3, within the W.S.C.C Illuminated Signs Standing Advice, and therefore, the maximum luminance in this location would be 600 candelas. The proposed signage is half of this, and will be conditioned as such.

PUBLIC SAFETY

In the evaluation of the sign consideration has been given to its impact upon public safety, it is vital to consider whether the advertisement itself 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 location and scale of the proposed advertisements are not considered to post a hazard to public safety. None of the proposed signage is located in locations, or are of scales that are uncommon along high streets, and are as such, not considered to result in any change to the safety of the public in the area.

SUMMARY

In the absence of harm to amenity 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

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:

- Littlehampton - Papa Johns - 36352 - 15/10/2019

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun Local Plan, and the National Planning Policy Framework.

- 2 The signs hereby approved shall not be illuminated except between the hours of:

10:30-23:00 Monday-Saturday

10:30-22:00 Sunday & Bank Holidays

Reason: To control the residential amenities of the local environment in accordance with Arun Local Plan policies with the Supplementary Planning Guidance and the NPPF.

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 The intensity of illumination of the proposed sign shall not exceed 300 candelas.

Reason: In the interests of the visual amenities and road safety of the locality in accordance with Arun Local Plan Policies, the Supplementary Planning Guidance and the National Planning Policy Framework.

6 INFORMATIVE:

It is noted that there is already signage constructed at the site is externally illuminated, through the use of trough lighting. It has been discussed with the applicant that it is not the intention to retain this signage, and instead, implement this permission (LU/307/19/A). This permission does not give consent for the currently installed signage.