

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/409/21/A

LOCATION: Tesco Store
Broad Piece
Littlehampton
BN17 5RA

PROPOSAL: Retrospective application for 1 x LCD Screen and 3 x Pole signs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Retrospective application for 1 LCD charging unit with LCD screen measuring 860mm (w) by 2160mm (h) and 3 flag post measuring 700mm (w) by 1250 (h)
TOPOGRAPHY	Predominantly flat.
BOUNDARY TREATMENT	This area of the site is adjacent to the railway line, chain-link fence with scrub.
SITE CHARACTERISTICS	Supermarket, the adverts will be located within the car park, adjacent to the railway line.
CHARACTER OF LOCALITY	Set within industrial space and out of town shopping facilities.

RELEVANT SITE HISTORY

LU/33/15/A	3 No. internally illuminated fascia signs & 4 No. non illuminated fascia signs on front elevation. This application may be determined by Littlehampton Town Council under delegated powers.	ApproveConditionally 30-03-15
LU/292/13/A	Proposed signage to Click & Collect facility	ApproveConditionally 14-11-13
LU/216/13/A	Various illuminated & non-illuminated branding, directional & information signs to the building elevations & car park - 53 in total	ApproveConditionally 02-09-13
LU/239/08/A	Various signs	ApproveConditionally 14-11-08

LU/323/07/A	Various illuminated and non-illuminated signage.	ApproveConditionally 05-10-07
LU/457/04/A	4no. flag pole signs, 1no. banner sign, 2no. entrance signs, 2no. A frame panels and 2no. traffic directional signs - all non-illuminated	Apprvd/Cond ADV 10-12-04
LU/394/04/A	3 no. Internally illuminated freestanding panels	Apprvd/Cond ADV 29-10-04
LU/258/00/A	Illuminated signage comprising of 4 Fascia signs, 2 Pole signs & 1 Gantry sign.	Apprvd/Cond ADV 20-10-00
LU/185/00/A	3 no. externally illuminated "Tesco" signs to replace existing	Apprvd/Cond ADV 09-08-00

Various advert application over time. Noted.

REPRESENTATIONS

Parish Council - No Objection

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Built up area boundary.
Economic growth area.
2km buffer zone SSSI
WSCC mineral consultation areas.

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 be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 132 of the National Planning Policy Framework (NPPF) states -The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

AMENITY

The signage will be visible from outside of the site.

The proposed advertisements are small in scale and to be located to the eastern boundary of the site

which runs adjacent to the railway line. Apart from the LCD screen the signage will be non-illuminated. The signage is located near the the front of the store and is considered an appropriate form of development given its industrial location.

The sign is not considered to have adverse impact upon local amenity or upon that of nearby businesses.

PUBLIC SAFETY

In terms of public safety, it needs 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 signage does not impede the free movement of pedestrians or vehicles around the site and will therefore not pose a hazard to public safety.

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 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 The screen charge point shall be switched off between the hours of 24:00 (midnight) and 06:00 am.

Reason: In order to protect the visual amenity of the surrounding area and comply with Paragraph 132 of the NPPF.