

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/58/22/A

LOCATION: 18 Beach Road
Littlehampton
BN17 5HT

PROPOSAL: 1 No internally illuminated fascia sign and 2 No poster signs on front elevation.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks consent to erect 1no. x internally illuminated fascia sign and 2no. x poster signs on front elevation. The internally illuminated fascia sign will be 0.89m high, 8.448m wide and on a base height of 2.79m and overall height of 3.68m and will provide yellow colour to the non-illuminated panel where indicated. The poster signs will be attached to the shop front display area in the front elevation.
SITE CHARACTERISTICS	The property is a 3 storey mid terrace property. Ground floor in retail use and residential above. The ground floor features a shop front with the first and second floor featuring red brick. The premises features a rear access which is accessed via Evans Gardens which is a small courtyard to the rear of the site which provides access to a number of other retail uses as well as a seating area associated with a restaurant.
CHARACTER OF LOCALITY	Predominantly commercial at ground floor with residential accommodation at first and second floor.

RELEVANT SITE HISTORY

LU/172/15/PD	Prior notification under Class O for change of use from B1(a) offices to C3 dwellinghouses (7 No.)	No Objection 15-06-15
LU/121/15/PD	Prior notification under Class J for change of use from B1(a) offices to C3 dwellinghouses (7 No.)	Objection 21-05-15
LU/91/05/	Change of use from offices to flats on first and second floors.	Refused 18-05-05

REPRESENTATIONS

Littlehampton Town Council - no objection subject to a condition that the illuminated signage is confined to the hours of operation.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

DEVELOPMENT PLAN POLICIES

[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

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.

CONCLUSIONS

PRINCIPLE

Policy D DM4 of the Arun Local Plan makes reference to alterations to buildings.

Para. 136 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 internally illuminated fascia sign will have a base height of about 2.8m and will illuminate the shopfront. It's simple and carefully thought out design and its size will not appear obtrusive and would not be harmful to the appearance of the street scene on Beach Road and the general visual amenity of the area.

PUBLIC SAFETY

In the evaluation of the signs consideration has been given to their impact on public safety and whether the signs themselves or its location is likely to be distracting or confusing, that it creates a hazard, or endangers people in the vicinity.

The location and scale of the signs do not post a hazard to public safety. The internally illuminated fascia sign (at a level of illumination of 500cd/m²) and poster are well set back from the highway and will not pose such a risk to public safety subject to conditions.

SUMMARY

Therefore, due to the type, size and location of the adverts, they will not harm the amenity or result in harm to public safety in accordance with policy D DM4 of the Arun Local Plan and It is recommended that the application be approved.

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

- Proposed Floor Plan - TNL 001

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM4 of the Arun Local Plan.
- 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 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.
- 5 The intensity of illumination of the proposed sign shall not exceed 500cd/m2.

Reason: In the interests of the visual amenities of the locality in accordance with D DM4 of the Arun Local Plan.
- 6 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 D DM4 of the Arun Local Plan.
- 7 The illuminated advert shall only be illuminated during the business hours of the property.

Reason: To safeguard the amenities of the neighbouring properties in accordance with Arun Local Plan policies D DM4, QE DM1 & Q DM2.