

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LU/8/20/A

LOCATION: 52 High Street
Littlehampton
BN17 5SY

PROPOSAL: Installation of 1 x internally illuminated fascia sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above

CHARACTER OF LOCALITY High street, rife with advertisements, with residential units to the rear.

RELEVANT SITE HISTORY

LU/191/19/PD	Notification for Prior Approval for a Change of Use from Financial and Professional Services (Class A2) to Restaurant (Class A3) and alterations to High Street shopfront, provision of extract duct & formation of bin store.	No Objection 14-10-19
LU/154/19/PL	Change of use of ground floor from banking (A2 Financial & professional services) to retail (A1 Shops), permitted development to form 2 No. flats above plus 1 No. further flat & extension to form 1 No. two storey dwelling & ancillary alterations.	ApproveConditionally 10-09-19
LU/160/15/A	1No. internally suspended illuminated chevron sign, 1No. web & telephone glazing vinyl onto one window to front elevation & 1No. internally suspended illuminated A1 light pocket to front elevation. This application may be determined by Littlehampton Town Council under delegated powers	ApproveConditionally 21-07-15

Relevant site history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Littlehampton Town Council

No objection.

No objections from nearby occupiers.

CONSULTATIONS

Natural England

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

2km Buffer for Site of Special Scientific Interest

Town Centre Retail Boundary

Within the Built Up Area Boundary

Locally Listed Building

DEVELOPMENT PLAN POLICIES

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

DDM1 D DM1 Aspects of form and design quality

DSP1 D SP1 Design

[Littlehampton Neighbourhood Plan 2014 Policy 2](#) A Spatial Plan for the Town

Littlehampton Neighbourhood Plan 2014 Policy 9 Local Centres

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. 1995, as amended.

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.

The proposed development is relevant to Policies 2 and 9 of the Littlehampton Neighbourhood Plan are relevant as the proposed advert is located within the town centre as illustrated in Policy 2 where the plan explains development as long as sustainable will be supported. Policy 9 of the Neighbourhood Plan is relevant as restaurant usage falls in class A3 as such Policy 9 is relevant as it is located in the town centre and falls within the preferred use classes.

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 proposed to be at the maximum but not exceed 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

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