

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: LY/8/19/A

LOCATION: The Brewhouse Project (Former Crossbush Farm Shop)
Lyminster Road
Lyminster
BN17 7QN

PROPOSAL: Retrospective application for advert 1 - lettering on north side of building, advert 2 - lettering on west side of building, advert 3 - 2 no company logos on west side of building. All non-illuminated.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Sign 1 Lettering on North Elevation is 2.8m from ground level to the base of the sign. Each letter has a a height of 4.75m, width of 2.43m and depth of 0.04m. Sign 2 Lettering on West Side of building is 4.4m above ground level to the base, 1.6m high, 5.1m wide. Sign 3 Company Logos on West side of building are 3.3m above ground level, 1.49m high and wide.
TOPOGRAPHY	Predominantly flat. The site is located at a lower level than the intersection to the North.
BOUNDARY TREATMENT	Field boundaries are defined by fencing and hedging to approx 1-3m height.
SITE CHARACTERISTICS	To the west of the site is a service station. Existing modern barn. Green coloured corrugated cladding previously used as a farm shop. Parking in front of building.
CHARACTER OF LOCALITY	Rural - Fields to the north and east. Houses to the south cannot be seen from site due to high trees and hedges on boundary. The area is rural in character with the A27 situated to the north of the site and some sporadic residential development to the south. To the west of the site is a service station.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

355 Support/ 35 No Objections

- The new brewhouse project is a fabulous building and space and fully support the design of it and the branding outside.
- Looks great, signage needs to be clear so can be seen from the roads.
- The sign while clearly visible is not offensive and does fit with the building it sits on and the local environment.
- The building is some distance from the road and pedestrians and the signage needs to be of a scale to

make it visible. Quite a lot of the building and signage on the north elevation remains obscured by trees and foliage when viewed from the A27 and Crossbush.

- It is an asset to the area. The signage is perfectly suitable.
- This building is not in the South Downs Park & is a positive business using a redundant/failed building.
- The business employs local residents & makes use of the site. Every encouragement should be given.
- The signage is only visible from the dual carriageway therefore encourages customers & is not an eye sore to residents.
- Looks stunning and original.

1 Objection

- These have a substantial adverse effect on amenity and significantly compromise public safety in the locality.
- Signs are displayed in breach of condition.
- The lettering is highly prominent and intrusive in views of the building, particularly from the north, where countryside policies apply.
- The display is also visible from within, and detrimental to the appearance of, the South Downs National Park, the boundary of which is close-by.
- Lettering applied to the north-facing facade of the building gives rise to substantial risk to public safety. The Crossbush junction is busy and a localised focus of traffic congestion. It caters for a variety of conflicting manoeuvres undertaken by local and longer distance traffic. The nature of the junction, which incorporates traffic signal control on its roundabout arms, is complex. Negotiating it safely requires the avoidance of any unnecessary distractions to drivers. The applicant's supporting statement explains that it is the express intention that the signs should be visible to passing traffic using the sliproad and roundabout at the A27 Crossbush junction.
- The visibility arises at a point where high-speed westbound traffic should be slowing in the approach to the sliproad, roundabout and traffic signals, at the junction. This requires that drivers' attention is not diverted by advertisements at the building.

COMMENTS ON REPRESENTATIONS RECEIVED:

County highways have not objected to the proposal in terms of highway safety.

The signs are located at a lower height than the land levels to the North and would not be readily visible from views out of the National Park only from the buildings immediately facing the site on the boundary. This retrospective application has been requested by the Local Planning Authority and it has been agreed that no formal action will be taken whilst the applications are determined.

CONSULTATIONS

WSCC Strategic Planning
Highways England

CONSULTATION RESPONSES RECEIVED:

Highways England - No Objection.

County Highways - No Objection.

The proposed signage is located within private land and is non-illuminated and therefore is not anticipated to result in a highway safety concern.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
 Outside Built Up Area Boundary
 Class A Road
 Within the Arundel and Littlehampton Strategic Gap

DEVELOPMENT PLAN POLICES**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.

Lyminster and Crossbush Parish Council is not preparing a Neighbourhood Plan.

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. This application seeks the express consent of the Local Planning Authority for the continued display of the advertisements on the building.

The business to which the advertisements now relate was granted planning permission last year for the change of use of existing building from farm shop and cafe to a brewery tap room (bar), fresh coffee bar, cafe and retail space (LY/28/17). The business has recently opened and brings two local companies together; The Arundel Brewery and Edgcumbes Coffee Roasters. The advertisements that are displayed on the building relate to those companies and to the business carried out.

DESIGN AND VISUAL AMENITY

The proposed advertisements are sited on an existing building and are already displayed. Given the set back position of the building from the road frontages the advertisements on the west of the building are not unduly prominent and the immediate vicinity contains other commercial premises and signage. Whilst located in the countryside, the site is located adjacent to a busy junction close to the A27 and opposite a petrol filling station and McDonalds and a hotel. There are commercial properties on the north side of the A27 junction also, namely the Beefeater and Premier Inn. Those premises have a proliferation of advertisements including an illuminated pole sign, banner signs, illuminated fascia signs, painted signs on the Beefeater and a cluster of other signs at the entrance to the petrol filling station. The Beefeater and the Premier Inn lie within the South Downs National Park. The site also lies within a Settlement Gap, but the signage does not represent an expansion of the built form or compromise the visual integrity of the Gap.

There are no "important scenic, historic, architectural or cultural features" in the immediate vicinity on which the advertisements impact. Advert 1 on the north elevation seeks to indicate what is available on the premises. The lettering is large and is intended to be seen from the A27 to attract passing trade. There is no precedent for a business of this nature in a location such as this. Inspiration was taken however from the breweries and distilleries in Scotland which operate from industrial scale buildings. The business has to be bold to make a success where numerous farm shops have failed before. It also has to be recognised that, as the business is now up and running, there will be more activity on site such as parked cars and use of the outside seating area so that the building will not appear as an isolated building in a solely agricultural landscape.

The design and location of the advertisement are not considered to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected. The signage faces the elevations of the site where commercial development adjoins not those which face open countryside or residential dwellings. Additionally, the signage is sited over 15m from the closest residential building.

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 adverts the subject of this application do not impact on those matters identified as causing a highway safety issue. They do not cause an obstruction or otherwise impair a road users view, nor do they cause a distraction. The building is set well back from the road and the advertisements are mainly visible when vehicles are stationary at the Crossbush traffic lights or heading southwards on the

Lyminster Road which is a straight, single carriageway length of road. In fact, it is probably more important that the site is visible in highway safety terms to allow vehicles entering the site to anticipate the turn and indicate in good time. It is therefore submitted that the advertisements are acceptable in highway safety terms. The location and scale of the proposed advertisements are not considered to pose a hazard to public safety. County Highways have been consulted and have not raised an objection in terms of highway safety.

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

APPROVE CONDITIONALLY

- 1 The development hereby approved shall be carried out in accordance with the following approved plans:

Proposed elevations, block and location plan.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.

- 2 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of

Advertisements) Regulations 2007.

- 3 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.

- 4 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.

- 5 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.