

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: P/129/25/A

LOCATION: Spindrift Park
Land off Hook Lane
Pagham

PROPOSAL: Erection of 1x non-illuminated ladder panel sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks permission for the erection of 1 No. non-illuminated ladder panel sign, measuring 4.83m high, and 2.44m wide.
SITE CHARACTERISTICS	Residential development for Strategic Allocation SD2 (Pagham North). Development approved under P/30/19/OUT.
CHARACTER OF LOCALITY	Residential.

RELEVANT SITE HISTORY

P/65/23/A	Install 7 No. flag signs.	ApproveConditionally 20-09-23
P/41/23/A	Retrospective application for installation of 2 No. boards and 3 No. flags.	ApproveConditionally 23-05-23
P/30/19/OUT	Outline application with some matters reserved for the construction of up to 300 No. new homes, a care home of up to 80 beds, D1 uses of up to 4,000 sqm including a 2 form entry primary school, the formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure. This application may affect the setting of a listed building (resubmission following P/6/17/OUT).	App Cond with S106 02-09-19

REPRESENTATIONS

Pagham Parish Council - No objection.

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

None.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Area of Special Control (Adverts)

Built Up Area Boundary

Strategic Housing Site Allocation SD2

Pagham Harbour Zone B

2km Buffer for Site of Special Scientific Interest

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1 D DM1 Aspects of form and design quality

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.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 141 of the National Planning Policy Framework (NPPF) states that 'the quality and character of places can suffer when advertisements are poorly sited and designed' and that 'advertisement should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. These two considerations are addressed below.

VISUAL AMENITY

The ladder panel sign would be situated on the southern boundary of the site, opposite the junction with Mill Park Road. It would measure 4.83m high, 2.44m wide and have a depth of 0.15m, and be made of mild steel.

The colour of the panel signs will be white, with blue and orange text on the top panel, and black text on the lower. It will comprise 4 panels in an ascending ladder formation; with the largest panel at the top, and 3 smaller panels below. These will display the developer name, alongside other affiliated organisations, with the lowest panel displaying the description of works.

Overall, this sign would be of reasonable size, design and appearance; with a modest and unoffensive style. This form of sign is fairly standard for siting within a residential development, and would reflect a similar appearance, size and design of other hoarding / advertisements which have previously been erected on other locations within this site. Whilst this would stand out in its location, being a sole advertisement for the immediate context, the impact on visual amenity is acceptable and would have no unacceptable impact on the appearance of the area or surrounding buildings.

The proposed advertisements would not harmfully impact the visual amenity and character of the site and its vicinity, and do not cause harm in accordance with policy D DM1 of the Arun Local Plan.

PUBLIC SAFETY

In terms of public safety, it has 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 proposed signage is not excessive and is set back from the road. It is additionally non-illuminated, and as such would not serve as a distraction to road users or pedestrians. The proposals would subsequently not negatively impact public safety.

SUMMARY

In the absence of harm to amenity or public safety in accordance with the NPPF, 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:

Location Plan LP.01
Site Layout SL.01
Compound Display Panels Example

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

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 and Country Planning (Control of Advertisements) Regulations 2007.

3 No advertisement shall be sited or displayed so as to-

1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
3. 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 and 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 and Country Planning (Control of Advertisements) Regulations 2007.

5 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 and Country Planning (Control of Advertisements) Regulations 2007.

6 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 and Country Planning (Control of Advertisements) Regulations 2007.

7 The advertisement hoarding hereby permitted shall be removed on or before the expiration of the period ending on 17/12/2027 or upon completion of the development permitted pursuant to the planning permission(s) dated under Ref. No P/30/19/OUT (and subsequent Reserved Matters / S73 applications), whichever is the sooner.

Reason: In the interests of the visual amenities of the locality in accordance with Arun Local Plan policy D DM1.