

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: R/175/17/A

LOCATION: The Windmill Inn
Mill Lane
Rustington

PROPOSAL: 1 No. externally illuminated fascia sign on south elevation & 1 No. externally illuminated fascia on north elevation on chimney.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The signs are located on the chimney and the south elevation of the building. The signs are LED floodlights. Two are uplighting the sign on the side of the property. There is one illuminating the chimney sign which is on an arm above the sign and it is angled onto the sign.

The large sign on the side of the property is approximately 3000 x 1500mm (width x height). The chimney sign is approximately 1100 x 1300mm (width x height)

TOPOGRAPHY

Predominantly flat.

BOUNDARY TREATMENT

Low walling to road frontage . To side open car park area.

SITE CHARACTERISTICS

The site is occupied by a public house with existing externally illuminated hanging board sign. The 2 signs the subject of this application are currently located on the building and are non illuminated.

CHARACTER OF LOCALITY

The locality of the site is a mix of residential and commercial uses with residential terraced properties to the north of the application site with the site on the edge of the retail town centre

RELEVANT SITE HISTORY

R/81/64/ADV Electric sign

Apprvd/Cond ADV
15-04-1964

REPRESENTATIONS

Representations received:

Rustington Parish Council

No Objection

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#) GEN7 The Form of New Development

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 warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

INTRODUCTION

As set out in the Development Plan Background section of this report the Council's consideration of this proposal is limited to amenity and public safety. These issues are considered below.

AMENITY

Paragraph 67 of the NPPF states that "Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

Given the size of the proposed advertisements and that they are located in the same position as has historically been the case and that the number of advertisements on the site are not increasing, it is considered that the proposal will not have an unacceptably adverse impact upon visual amenity. Conditions restricting the level of luminance and illumination of the advertisement in line with opening hours of the public house are imposed to avoid harm to the amenity of neighbours.

The submitted photographs indicate that the sign on the chimney has previously been externally illuminated.

PUBLIC SAFETY

In terms of 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.

Consideration has been given to the WSCC standing advice in relation to illuminated advertisements and it is considered that the proposed advert will not create a distraction for drivers nor pose a risk to the safety of pedestrians.

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.

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 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 1 candela.

Reason: In the interests of the visual amenities of the locality in accordance with the NPPF.

- 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 the NPPF.

- 7 The advertisement hereby permitted shall only be illuminated during public house opening hours.

Reason: In the interests of the visual amenities of the locality in accordance with the NPPF.