

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: R/177/17/A

LOCATION: Land adjacent to 16 A Ash Lane
Rustington

PROPOSAL: Retention of 1 No. non-illuminated A board

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above. The application is retrospective. The sign is an 'A' board 1.09m high and 25cm wide with a depth of 45cm.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Open
SITE CHARACTERISTICS	The site comprises part of the pavement opposite the pet shop.
CHARACTER OF LOCALITY	On edge of retail. Residential flats behind.

RELEVANT SITE HISTORY

R/24/92	Prefabricated storeroom of precast concrete to replace assortment of wooden stores	ApproveConditionally 08-06-1992
R/143/65	Lock up shop	ApproveConditionally 21-09-1965

REPRESENTATIONS

Representations received:

Rustington Parish Council
Support

One Objection - The board is an eyesore which no one stops to read. It spoils the view of the beautiful flower border it is stood in front of and that cost a lot of money.

Comments on Representations received:

The board is fairly small in size and is only displayed when the shop is open. Its impact on the appreciation of the border is therefore limited.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

County Highways - This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information.

The proposal is to retain the position of a private advertisement board. From an inspection of WSCC mapping the sign is located within publically maintained highway (footway). The Area Highway Manager has been consulted regards the likelihood of a licence being granted for the sign. He has clarified that a licence would not be granted and the sign would be considered as an illegal obstruction due to its placement within the highway.

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 Councils 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 advertisement and its intermittent display according to the shop opening hours it is considered that the proposal will not have an unacceptably adverse impact upon visual amenity. A condition could be imposed restricting the display of the advertisement in line with opening hours of the shop to avoid harm to visual amenity.

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 advice received and the implications for public safety and it is considered that the proposed advert will pose a risk to the safety of pedestrians.

SUMMARY

It is recommended that the application be refused for the following reason.

RECOMMENDATION

REFUSE

- 1 The advertisement by reason of its position on the public footpath would constitute a hazard and obstruction to pedestrians in conflict with policy GEN7 vii) of Arun District Local Plan and the Supplementary Planning Guidance on Advertisements dated September 2003.