

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/103/15/A

LOCATION: Arun Retail Park
Shripney Road
Bognor Regis

PROPOSAL: 3 No. internally illuminated fascia signs on front & side elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	0.06 hectares.
RESIDENTIAL DEVELOPMENT DENSITY	N/A.
TOPOGRAPHY	Predominantly flat.
TREES	None affected by the proposed development.
BOUNDARY TREATMENT	Along the boundary with Shripney Way the road is separated from the car park by a band of soft landscaping which is mostly grassed with some trees and bushes. Some more intense landscaping is located at the main entrance to the park. Along the northern boundary the site is separated from the caravan park to the north by a high brick wall along the length of the boundary. Along the western boundary the site is bounded by close board timber fencing. Some vegetation and planting is located sporadically along both of these boundaries.
SITE CHARACTERISTICS	Site forms part of the car park of an existing retail park. Pizza Hut restaurant to the south east of the site with B & Q, Pets at Home and Carpet Right existing to the south. Next and M & S have recently obtained permission to change the use of the former Comet store and the existing Kwik Fit. Large car park existing, with street lighting in place. Burger King to the north of the site.
CHARACTER OF LOCALITY	The area surrounding the site on Shripney Road has a primarily commercial character comprising a number of retail parks and A1 superstores, as well as a number of industrial estates. To the north-west and south-west of

the site the adjoining uses comprise caravan and park home estates.

RELEVANT SITE HISTORY

BE/107/14/PL	Installation of new pod unit (A3 Restaurants & Cafes) & reconfiguration of the car park & other associated works.	ApproveConditionally 28-10-2014
BE/83/15/DOC	Application for approval of matters reserved by condition imposed under BE/107/14/PL relating to conditions 3, 5 & 6 for schedule of materials & samples, landscape scheme & surface water drainage.	DOC Approved 05-06-2015

Application BE/107/14/PL allowed the construction of this pod retail unit.

REPRESENTATIONS

Representations received:

Bersted Parish Council

Bersted Parish Council - no objection.

Comments on Representations received:

Noted.

CONSULTATIONS

Consultations responses received:

None.

Comments on Consultation responses:

N/A.

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary; and
Class A Road.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

[Bersted Neighbourhood Plan 2014 Policy GA2](#) Signage for Local Facilities

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD5

Advertisements

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

The new signs are required to advertise the new occupier (Costa Coffee) to passing trade. The signs are all of an intermitted illumination type and no greater than 250 candelas per metre.

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."

It is considered that the proposed fascia adverts are acceptable having regard to the location of the site within an existing retail park and the existing illuminated fascia signs on nearby premises. The proposed candela level is also considered to be acceptable within this Zone E3 area.

It is therefore recommended that the application is approved subject to the following conditions.

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:

Site Location Plan Ref URB PU [08]00 01 Rev D00;
Site Block Plan as Proposed Ref URB PU [08]00 03 Rev D00;
Proposed Floor Finishes & Reflected Ceiling Plan Ref A318014/04 Rev A; and
Proposed Elevations Ref A318014/03 Rev B.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

- 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 & Country Planning (Control of Advertisements) Regulations 2007.

- 3 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.

- 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 & 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 & Country Planning (Control of Advertisements) Regulations 2007.

- 6 The intensity of illumination of the proposed sign shall not exceed 250 candelas per square metre

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

- 7 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.