

our ref: **TR/Q50031**

your ref:

date: 22 June 2015



Head of Planning
Arun District Council
Arun Civic Centre
Maltrevers Road
Littlehampton
West Sussex
BN17 5LF

Submitted via Planning Portal
PP-04292624

Dear Sirs,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007
LAND AT OLDLANDS FARM, SHRIPNEY ROAD, BOGNOR REGIS, PO22 9NN
2NO. FLAGPOLES AND 1NO. FASCIA SIGN; 1NO. INTERNALLY ILLUMINATED WALL BADGE; AND 4NO. FREESTANDING PYLON SIGNS
SUBMITTED ON BEHALF OF BERICOTE PROPERTIES LIMITED

We are instructed by our client, Bericote Properties Limited, to submit the enclosed full planning and advertisement consent application for the erection of 2no. flagpoles and 6no. signs associated with the business operations on the site at Oldlands Farm, Shripney Road, Bognor Regis, PO22 9NN.

Specifically full planning permission and advertisement consent is sought for the following development:

“Full planning permission for erection of 2no. flagpoles; and advertisement consent for 1no. fascia sign; 1no. internally illuminated wall badge; and 4no. freestanding pylon signs”

The application is submitted via the Planning Portal (PP-04292624) and includes the following information in line with the validation requirements:

- **Requisite Planning and Advertisement Consent Application Forms, duly completed;**
- **Certificate A and Agricultural Holding Certificate;**
- **Site Location Plan (ref. DLA-1606-(02_-12) prepared by DLA Landscaping;**
- **Site Layout plan (ref: DLA-1606-(02)-11), prepared by DLA Landscaping;**
- **Signage Proposals (Rev 2), prepared by L & G Signs; and**
- **Flagpole Plans (DLA-1606-(02)-12, prepared by DLA Landscaping**



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A BACS payment of £305, being the requisite planning and advertisement consent application fee based on no new floorspace being created within the planning application element, will be paid to Arun District Council to support the application.

a) Background

Full planning permission (ref: BE/73/14/PL) was granted on 28 August 2014 for

“Erection of 2 No. detached industrial/distribution units (B1(c)/B2/B8) including access & servicing arrangements, car parking, landscaping & associated flood compensation area”

The first phase of this development (Unit 1) is almost complete with Rolls Royce Motor Cars Limited due to take occupation of the building in September 2015. The enclosed planning and advertisement consent application is being brought forward to ensure that the signage and flagpoles can be in place prior to their occupation.

b) Proposals

The flagpoles will be placed in front of the landscaped area to the north of Unit 1. The flagpoles will be 8.1 metres high and will fly the Rolls Royce branded flags. It is proposed that the flagpoles will be located in front of Unit 1, where the access road meets the road into the south western car park.

The fascia sign will be placed above the entrance of the building with the 4no. freestanding directional signs placed at intervals along the access road, at the front of the building. The wall badge will be internally illuminated and be fixed to the wall next to the entrance doors.

The enclosed site layout plan (ref: DLA-1606-(02)-11), illustrates the location of the flagpoles in relation to the proposed landscaping as well as the location of each of the signs. The enclosed Signage Proposals document provides detailed images and information for each of the signs.

c) Planning Policy Context

i) Full Planning Application - Arun District Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan comprises the ‘saved’ policies of the Arun District Local plan (2003); the ‘saved’ policies of the West Sussex Minerals Plan (July 2003); the West Sussex Waste Local Plan (April 2014) Arun Local Plan 2011-2031 (Publication Version - October 2014); and any adopted Neighbourhood Plans. Material considerations chiefly comprise the National Planning Policy Framework (NPPF) (March 2012); the National Planning Policy Guidance (March 2014) and relevant Supplementary Planning Documents.

The Site is allocated for ‘employment’ on the adopted Local Plan Proposals Map (2003) and is included in the Bognor Regis Enterprise Zone Local Development Order, further confirming the surrounding areas

suitability for employment development. It is clear therefore that, in the future, the surrounding area will host large, commercial warehouse type developments and business parks to allow for uses anticipated within the LDO. The Council's development management policies are more relevant than the strategic policies in relation to the planning application element of the proposals.

'Saved' Policy GEN7 (The Form of New Development) of the adopted Local Plan states that planning permission will only be granted for schemes displaying high quality design and layout. The policy states that development will only be permitted provided it (amongst others):

“(ii) demonstrates that it responds positively to the identified characteristics and resources of the site and the area to create attractive places and spaces with the needs of people in mind and respects and enhances local distinctiveness;...

..(iv) does not have an unacceptable adverse impact on adjoining occupiers, land, uses or property and, where relevant, facilitates the development of adjoining sites;

(v) takes account of any unacceptable adverse impacts that may arise from adjoining land uses or property;...

..(vii) allows for the safe movement of pedestrians and vehicles, giving priority to pedestrians;

...In all cases, the District Council will expect a high standard of design and layout and all applicants will be encouraged to improve the visual amenities of the particular locality in scale, external appearance, hard and soft landscaping and materials”.

Policy DDM1 (Aspects of Form and Quality of Design) of the emerging Local Plan sets out the Council's standards for design stating that proposals must successfully integrate within the existing environment in terms of character, appearance, impact, innovation, adaptability, crime prevention, trees and woodland, solar gain, public realm, layout and public art. The policy states that, when considering any application for development the Council will have regard to (amongst others) the following aspects:

“1. Character: Make the best possible use of the available land by reflecting or improving upon the character of the site and the surrounding area, in terms of its scale, massing, aspect, siting, layout, density, building materials (colour, texture), landscaping, and design features, have minimal impact on to user and occupiers of nearby property and land;

2. Appearance/attractiveness: Demonstrate a high standard of architectural principles, use of building materials, craftsmanship and hard and soft landscaping;

3. Impact: Have minimal impact to users and occupiers of nearby property and land. For example, avoiding the loss of sunlight/over-shadowing, over-looking

issues, loss of privacy, anti-social noise/disturbance or having an over-bearing presence;

11. Layout: Deliver or contribute to the ease of navigation within a new or existing development scheme through use of focal points (landmarks, gateways, vistas, corner buildings, active edges, existing topography), and/or a variety of detail within the public realm (sculpture, planting, street furniture, building materials, building detail, signage);

14. Scale: The scale of development should keep within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement”.

In short, the Council’s relevant planning policies aspire to ensure that high quality design is integral to a proposal of this nature and in line with the character and appearance of wider development.

ii) Full Planning Application - Material Considerations

NPPF (March 2012)

Given the out of date nature of the ‘saved’ policies within the Local Plan, the NPPF will be given significant weight in determining the planning application. At the heart of the NPPF is the presumption in favour of sustainable development and paragraph 14 confirms that development proposals which accord with the development plan should be approved ‘without delay’.

Section 7 of the NPPF addresses design standards, specifically stating that the Government attaches great importance to the design of the built environment. Paragraph 57 states:

“It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes” (our emphasis)

Paragraph 61 seeks to ensure that LPA’s do not simply consider the visual aspects of designs but also the reasons behind a particular design, stating:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment”.

iii) Application for advertisement consent

Town and Country Planning (Control of Advertisements)(England) Regulations 2007

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 provides the legislative framework for determining applications for advertisement consent. In particular, Section 3(1) advises that LPA's should exercise powers under the Regulations in the interests of public safety and amenity, taking into account:

- “(a) The provisions of the development plan, so far as they are material; and
(b) any other factors.”**

Section 38(6) of the Town and Country Planning Act 1990 does not therefore apply to advertisement proposals. As a result, refusal of consent cannot just be on policy grounds as it is required to demonstrate harm to amenity or public safety. Whilst development plan policies can therefore be material when assessing advertisement proposals they cannot be decisive in themselves. Key considerations are therefore drawn from the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

Paragraph 67 of the NPPF address advertisements, affirming the requirement for LPA's to determine applications for advertisement consent simply in the interests of amenity and public safety and that advertisement consent should be the subject of scrutiny unless they have a serious impact on a building.

“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”. (our emphasis)

Paragraph 26 of the NPPG sets out the criteria for deciding applications and appeals involving advertisements. Overall, it states that such proposals are to be considered on their own merits, with regard to the general characteristics in the locality in which they are to be displayed. The PPG states:

“Unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public morals.”

Paragraph 27 examines factors relevant to amenity including the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Paragraph 79 considers the meaning of amenity, stating:

“In practice, ‘amenity’ is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the

display of advertisements, where residents or passers-by will be aware of the advertisement.”

In assessing amenity, the PPG advises that

“...the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.”

Turning to the second key consideration of public safety, paragraph 28 examines what considerations local authorities should take into account in assessing public safety, stressing that public safety is not confined to road safety and includes all of the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians). Paragraph 68 specifically examines the main types of advertisements that may cause a danger to road users, stating that LPAs should consider matters such as:

“(a) those which obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway;

(b) those which, because of their size or siting, would obstruct or confuse a road-user’s view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of their unusual nature;

(c) those which effectively leave insufficient clearance above any part of a highway, or insufficient lateral clearance for vehicles on the carriageway (due allowance being made for the camber of the road-surface);

(d) those externally or internally illuminated signs (incorporating either flashing or static lights) including those utilising light emitting diode technology;

i. where the means of illumination is directly visible from any part of the road;

ii. which, because of their colour, could be mistaken for, or confused with, traffic lights or any other authorised signals;

iii. which, because of their size or brightness, could result in glare and dazzle, or distract road-users, particularly in misty or wet weather; or

iv. which are subject to frequent changes of the display;

(e) those which incorporate moving or apparently moving elements in their display, or successive individual advertisements which do not display the whole message;

(f) those requiring close study (such as Public Information Panels), which are situated so that people looking at them would be insufficiently protected from passing vehicles; or those advertisements sited on narrow footpaths where they may interfere with safe passage by causing pedestrians to step into the road;

The other key material consideration in relation to the advertisement consent element of the proposals is ADC’s Advertisements SPG (September 2003) which should be read in conjunction with ‘Saved’ Policy GEN7

of the Local Plan (2003). In regard to advertisements on buildings, this policy requires adverts and signs not to detract from the building and therefore:

- **“Advertisements should be restricted to areas below the fascia level and below the sill of the first floor windows.**
- **When displayed on buildings they should be related to the scale of their surroundings and have regard to the architectural features of the locality.**
- **Signs and advertisements should not obscure or damage existing architectural features. Advertisements will not be supported on buildings used for residential purposes.”**

The above policies are considered in detail below.

d) Planning Review

i) Full Planning Application

The full planning element of this application simply proposes 2no. flagpoles which will be located in front of Unit 1. The flagpoles have been accommodated within the approved landscaping scheme with the two complementing each other. The flagpoles will be placed in front of the unit, at the junction with the access road and the road into the south western car park. This location will be visible from Shripney Road, providing a focal point and legibility to the development, in line with Policy DDM1 of the emerging Local Plan.

The Site and the surrounding area will eventually become a large commercial area, hosting a number and mix of businesses. The buildings on this site, which will be occupied by Rolls-Royce Motor Cars Limited, are highly visible when viewed from Shripney Road. It is therefore important to provide visible and high quality features which, along with the proposed piece of public art which is currently the subject of a separate application, will provide an impressive entrance into the Site both for visitors to the building's and for passers-by, who will be travelling to and from Bognor Regis.

The scale of the buildings on this site and the future developments which are expected to come forward in the wider Bognor Regis Enterprise Zone will be significant and it cannot therefore be considered that the scale of the flagpoles would have any effect on the character of buildings on the application site or on any of the existing or future businesses or occupiers in the surrounding area. It is therefore considered that the flagpoles comply with 'saved' policy GEN7 of the adopted Local Plan and Policy DDM1 of the emerging Local Plan.

ii) Advertisement Consent Application

The proposed signage will be in scale with the buildings and made from high quality materials. The fascia sign will be placed below the eaves and above the main entrance doors of Unit 1. The fascia sign will be wholly related in scale to the building and will not obscure any architectural features of the host building or of the locality. This sign will be made from aluminium and be finished in a high gloss Verona red with antique white lettering.

Due to the nature of the freestanding directional signs, they will be placed in visible locations along the access road, providing information to drivers. These signs will be of a high quality made from aluminium in high gloss Verona red with antique white lettering to match the fascia sign. Finally, the internally illuminated wall badge will be fitted directly to the wall, next to the main entrance doors.

In determining the application for advertisement consent, the LPA will solely need to consider the effect of the signs on amenity and public safety. The signage will not be on the main road and will not be so large as to distract drivers or create a hazard in any other way, thus ensuring that there would be no impact on public safety. The directional signs will be placed along the access road but the speed limit within the site, however they have been carefully placed so that they will not obstruct site lines for drivers and will not cause a public hazard.

Turning to the question of the impact on amenity, although the meaning of amenity can be interpreted differently by each LPA, The NPPG advises that is the visual or aural effect on the immediate area. The Site is within an employment area and will eventually be surrounded by commercial developments. The proposed signs are standard for a development of this kind and none of the signs can be considered to be overbearing or out of character with the development. It is clear that there will not be a harmful visual (or aural) effect on the surrounding buildings or be visually intrusive to passers-by, employees or visitors to the site.

It is therefore considered that the signage proposals comply with the advertisement guidelines as set out in the NPPG, 'saved' Policy GEN 7 of the adopted Local Plan; Policy DDM1 of the emerging Local Plan and the Council's Advertisements SPG.

e) Summary

For the reasons outlined above, the proposal accords with the 'saved' policies of the adopted Local Plan, the emerging policies of the Local Plan (2011-2028); the NPPF and other material considerations. As such, the proposals are considered to be entirely acceptable and in line with policy, will be of high quality materials and will create an impressive finish to this site which, when completed will have been under construction for 12 months. The flagpoles will provide a focal point and legibility to the development which is in a key location in relation to the remainder of the LDO.

In short, the proposals are acceptable in principle and accord with the relevant policies in the Arun Development Plan and are also in compliance with the Advertisement Regulations (2007). Consistent with paragraph 14 of the NPPF the proposals should be considered sustainable development and planning permission therefore granted without delay.

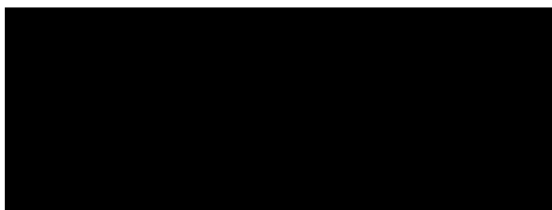
We trust the enclosed is sufficient for you to validate and register this full planning and advertisement consent application and we look forward to receiving confirmation of this. If for any reason this is not the case, please contact us immediately.

We will be in contact with the relevant officer once the application is registered. In the meantime, if there is any further information we can provide to assist you with your consideration of this application, please do not hesitate to contact us.



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Yours faithfully,



Tim Rainbird
Director

Enc.

cc. Bericote Properties Limited