

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/128/14/A

LOCATION: Kwik Fit
Unit 7 Southern Cross Trading Estate
Oldlands Way, Bersted Bognor Regis

PROPOSAL: 3 No. internally illuminated fascia signs, 1 No. internally illuminated moulded totem sign & 3 No. non-illuminated wall mounted signs at various locations within the site

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

The application is for various adverts on the external elevations of the property and one totem sign adjacent to the A29. Only the three fascia signs and totem sign are to be internally illuminated.

SITE AREA

The building has a floor area of approximately 466 metres square.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

This is a 2 storey end of terrace warehouse building in brick and metal sheet cladding. The front elevation includes 1 window and an emergency exit door. The side elevation (facing towards the Wileys site) has a door, 3 windows and a roller shutter door at ground floor with more windows at first floor. Internally the building provides an open warehouse area with ground & first floor offices. To the front and side there is parking for approximately 14 cars.

SITE CHARACTERISTICS

Application BE/24/14/PL allowed for the change of use of the building from B1 (Business) to a Motorist Centre for the sale and fitting of tyres, exhausts, brakes and other fast-fit motor repairs, car servicing and the carrying out of MOT tests (B2 General Industry). That permission enabled Kwik Fit to relocate from their existing premises on the Arun Retail Park.

CHARACTER OF LOCALITY

Part of the Southern Cross Industrial Estate. The rear of the building backs onto the A29

and to the west of this is a currently vacant site with an extant permission for residential development.

The A29 is a busy main road which connects Bognor Regis with the A27 to the north. There is a traffic light controlled pedestrian crossing to the south adjacent to the Sainsbury's store. There are no other controlled crossings on this part of the A29 but there are places to cross using the central grassed island as a refuge. There is a shared footpath and cycleway on the eastern side of the A29 and a bus stop close to the application site which is served by services 66, 66a and 67.

RELEVANT SITE HISTORY

BE/44/14/A	Various illuminated and non-illuminated signage at various locations within the site	ApproveConditionally 15-07-2014
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Application BE/44/14/A granted advertisement consent for 3 No. fascia signs and various other additional signs around the site.

REPRESENTATIONS

Representations received:

Bersted Parish Council

"No Objection".

Comments on Representations received:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

West Sussex County Council Highways:-

"WSCC do not provide highways comments for signage/advertisement consents as you have standing advice to follow. If this is a special case and the standing advice cannot be followed then the reason why need to be given along with the application."

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Adopted Local Plan
Within Built up Area Boundary
PD Restriction
Class A Road

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF National Planning Policy Framework

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 proposed signage will be affixed to the external elevations of Unit 7 with one totem sign to be located on land between the car park for the unit and the A29. The previously approved advertisement application submitted to the Council under reference BE/44/14/A was for signage

affixed to the fascia which was similar in appearance to that now being proposed.

Paragraph 77 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 not considered that the adverts proposed in this application will have an adverse impact on the visual amenity of the street scene given the predominantly commercial and industrial character area. The proposed signage is not considered to have any impact upon the residential properties located on the opposite side of the dual carriageway A29. However, an illumination level of 650 CD/m² which goes beyond the recommended levels in accordance with Zone E3 of the The Institute of Lighting Engineers' Technical Report Number 5: Brightness of Illuminated Advertisements (2001).

It is therefore recommended that the application is approved as follows. It is noted that the location of the totem sign has not been adequately confirmed and therefore, in order to maintain control and to ensure that its position does not distract drivers on the adjacent A29, a condition is recommended to require its location to be agreed post submission.

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 Plan - Page 2 of 14;
Existing & Proposed (Elevation A) - Page 3 of 14
Existing & Proposed (Elevation B) - Page 4 of 14
Existing & Proposed (Elevation C) - Page 5 of 14
Shop Fascia - Page 7 of 14
External Signs - Page 9 of 14

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

- 2 The 4.6m high internally illuminated Totem sign shall not be installed unless and until its specific orientation, position and location has been agreed with the local planning authority in accordance with a site plan to be submitted at a scale of 1:500 and approved. It shall thereafter be retained in the agreed location.

Reason: In the interests of visual amenity and highway safety.

- 3 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.

- 4 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.

- 5 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.

- 6 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.

- 7 The intensity of illumination of the proposed signs shall not exceed 600 candelas per CD/m².

Reason: In the interests of the visual amenities of the locality.

- 8 The illumination of the proposed sign shall be of a non-intermittent type.

Reason: In the interests of the visual amenities of the locality.