

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/129/25/A

LOCATION: Land at Saltbox, west of Shripney Road
Bognor Regis
PO22 9NW

PROPOSAL: Installation of 1 No. non-illuminated totem sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the installation of 1 No. non-illuminated totem sign.
SITE CHARACTERISTICS	The site is a mixed use industrial / business park.
CHARACTER OF LOCALITY	The site is adjacent to the A29, a caravan park and Bersted Brooks Nature Reserve.

RELEVANT SITE HISTORY

BE/93/22/A	Installation of various signage.	ApproveConditionally 13-10-22
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Relevant planning history noted.

REPRESENTATIONS

Bersted Parish Council - No objection.

No representations were received from residents.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

POLICY CONTEXT

Area of Special Control (adverts).

DEVELOPMENT PLAN POLICIES**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

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

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 141 of the NPPF states that 'advertisement should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. The display of outdoor advertisements can only be controlled in the interests of 'amenity' and 'public safety'. The control system in place for advertising is concerned with the visual effect on the surroundings of an advertisement.

DESIGN AND VISUAL AMENITY

The site falls within an Area of Special Control for adverts; appropriate consideration has been given to this.

The totem sign would be 1 sided, 4.7m in height and 1.8m in width. The sign would be non-illuminated (but does benefit from nearby street lighting) and set back from the highway by approximately 5.2m. The advertisement would be sited within the Salt Box estate behind Aldi when viewed from the A29, and would not be visually prominent from this aspect.

The advert would be typical of directional adverts found in industrial estates and business parks, in both size and design. There are 2 other adverts of this nature on the Salt Box estate. The proposed advert would not constitute an over concentration of adverts and would be sited appropriately for its purpose to advertise the units at the rear of the site.

Overall, the proposal does not harm the visual amenity of the area and is in accordance with para 141 of the NPPF.

PUBLIC SAFETY

In terms of public safety, it has to be considered whether the advertisements are 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. The advert would have a depth of 0.2m, 4.7m in height and 1.8m in width and would be set back from the highway and would be non-illuminated and would not result in any adverse impact to the safety of pedestrians or road users.

SUMMARY

In the absence of harm to amenity or public safety in accordance with the NPPF, it is recommended that the application be approved, subject to the conditions set out below.

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:

- Location plan KP-281-TP-S-01.
- Site plan KP-281-TP-S-02.
- Estate sign plan KP-281-TP-S-03.

Reason: As required by Regulation 14(1)(a) of the Town and Country Planning (Control of

Advertisements) Regulations 2007.

2 No advertisement shall be sited or displayed so as to-

1. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
2. Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
3. 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 and Country Planning (Control of Advertisements) Regulations 2007.

3 Any structure 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 and 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 and Country Planning (Control of Advertisements) Regulations 2007.

5 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 and Country Planning (Control of Advertisements) Regulations 2007.