

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/18/22/A

LOCATION: Arun Retail Park, Unit G
Shripney Road
Bognor Regis
PO22 9NF

PROPOSAL: Installation of 5 x internally illuminated, and 1 x externally illuminated fascia signs, 1 x internally illuminated totem sign, 1 x internally illuminated free standing height limiter sign, 1 x internally illuminated rotating board, 1 x freestanding order point sign, 1x internally illuminated menu board, 1 x internally illuminated billboard and 1 x internally illuminated wayfinding sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks a number of advertisements on the site which include 5 x internally illuminated and 1 x externally illuminated fascia signs, 1 totem sign, 1 free standing height limiter sign, 1 rotating board, 1 order point sign, 1 menu board, 1 billboard and 1 wayfinding sign.
SITE CHARACTERISTICS	The site is located within a business park off of Shripney Road.
CHARACTER OF LOCALITY	The area is predominately commercial, located within a business park although there are some residential properties to the south of the site.

RELEVANT SITE HISTORY

BE/16/22/PL	External alterations to the existing building associated with the change of use from Class E Restaurant to Sui Generis (consisting of a coffee shop / restaurant selling food and drink for consumption on and off the premises), alterations to car park (including the creation of a drive-through lane, reconfiguration of cycle parking, new pedestrian crossings, and the increase in number of car parking spaces), relocation of footpath, removal of 4 x TPO trees (to be replaced), landscaping and associated works. This site is in CIL Zone 4 (Zero Rated) as other development.	Withdrawn 19-04-22
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An application for redevelopment of the unit was withdrawn due to concern about the removal of two trees. The trees in question are in the main car park opposite another unit and the adverts are not located near these trees.

REPRESENTATIONS

Bersted Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

None.

COMMENTS ON CONSULTATION RESPONSES:

None.

POLICY CONTEXT

Built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun Local Plan 2011 - 2031:](#)

DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
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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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 136 of the National Planning Policy Framework (NPPF) states - "The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts"

DESIGN AND VISUAL AMENITY

The application site is a an existing restaurant, in a retail park and as such there are existing signs within the vicinity.

On the external elevations of the building there will be fascia signs and a logo. These are well integrated on the building and appropriate in design and scale.

There will also be 7 signs surrounding the building which will include one totem sign and billboard advertising the restaurant and drive through, directional signs, a height bar and menu boards.

These are set back from the street scene and whilst there are a number of signs proposed, they are considered acceptable in design and size and are not considered excessive in number.

Many of the signs will be internally illuminated to a maximum of 500cd/m2. This complies with WSCC standing advice on illuminated signs and is acceptable.

The supporting application for redevelopment of the site was withdraw due to concerns about the removal of trees. The siting of the adverts are not near the trees and would not impact upon them.

Given the extent of advertisements already present on the site and in the immediate vicinity the design and location of the adverts is not considered that to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected.

PUBLIC SAFETY

In terms of public safety, it has to be considered 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. The adverts by virtue of its location and size are

not considered to have an adverse impact of the safety of pedestrians or road users.

SUMMARY

In the absence of harm to amenity or public safety, 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 - 0106-PL-01.1 Rev A
- Proposed Site - 0106-AD-01.1 Rev B
- Proposed Signage Elevation - 0106-AD-01.2 Rev B
- Totem Sign - 0106-AD-01.4.2
- Height Limiter Sign - 0106-AD-01.6.5 Rev A
- Rotating Leader Board Sign - 0106-AD-01.7 Rev A
- Order Point - 0106-AD-01.8 Rev A
- Menu Boards - 0106-AD-01.9.2 Rev A
- Billboard Sign - 0106-AD-01.10.1 Rev A
- Wayfinder Sign - 0000-AD-01.12 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy D DM1 of the Arun 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 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 5 The intensity of illumination of the proposed sign shall not exceed 500cd/m².

Reason: In the interests of the visual amenities of the locality in accordance with D DM1 of the Arun Local Plan.

- 6 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 D DM1 of the Arun Local Plan.