

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/49/21/A

LOCATION: Unit 1 B
Bognor Regis Retail Park
Rowan Way
Bognor Regis
PO22 9TR

PROPOSAL: Installation of various illuminated and non illuminated signage

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks to install illuminated and non illuminated signs to the front and rear of the building.
SITE CHARACTERISTICS	The site forms a retail unit located amongst a terrace of other commercial premises.
CHARACTER OF LOCALITY	The site is located in an out-of own retail park, in a predominantly commercial area.

RELEVANT SITE HISTORY

BE/20/21/PL	Removal of existing canopy, alterations to front elevation to include new shop front, removal & erection of new plant enclosure at rear, alterations to rear elevation to include infilling of two service doors & over clad roof with new insulation and profiled metal sheet build-up. This site is in CIL Zone 4 (Zero Rated) as other development.	ApproveConditionally 07-04-21
BE/25/21/PL	The construction of a flow forge plant cage/compound and the installation of air conditioning/refrigeration plant thereto together with the forming of 2 No. openings in external wall/cladding associated with same. This site is in CIL Zone 4 (Zero Rated) as other development.	ApproveConditionally 26-04-21

Noted.

An application was approved in 2021 to revise the front elevation of the building.

REPRESENTATIONS

Bersted Parish Council provided no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

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)

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG 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/are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

PRINCIPLE

Paragraph 132 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 proposed a sign to the front elevation of the store. This is larger than the sign which currently exists however is considered appropriate and similar in size to that of a neighbouring stores. This will be internally illuminated although complies with WSCC standing advice for illuminated adverts.

There will also be 4 adhesive graphic signs applied to internal doors which demonstrate the entrance and exit.

There is an existing totem board to the northern and eastern elevation site boundaries which features signs for the 8 business that are located within the business park. 2 signs are proposed on these to advertise the new premises. This will replace the existing sign and will match the size of those already existing.

There will also be one sign above the loading door to the rear elevation, although this is smaller in size and not visible from the wider area.

The proposed signs are not considered out of character and are largely replacement of those which already exist.

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 proposed advert 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 and Block Plan - SP02
 - Plans Drawing Pack -V1

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 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.

- 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 The intensity of illumination of the proposed sign shall not exceed 300 cd/m²

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

- 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 D DM1 of the Arun Local Plan.