

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BE/50/18/A

LOCATION: Bognor Regis Retail Park
Shripney Road
Bognor Regis
PO22 9TR

PROPOSAL: 1 No. non illuminated replacement totem sign at north of site & 1 No. internally illuminated totem sign at east of site.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	There is a low level post and rail fencing with some low level planting and trees.
SITE CHARACTERISTICS	The application site is situated on a corner plot with Rowan Way to the west and Shripney Road to the east. The Bognor Regis Retail Park comprises a number of retail warehouses with associated parking to the front adjacent to Shripney Road, Bognor Regis.
CHARACTER OF LOCALITY	Retail Park on western side of the A29. To the north lies Rowan Way, to the east and south is a large holiday caravan park. An industrial estate lies on the other side of the A29 to the east.

RELEVANT SITE HISTORY

BE/109/15/A	1 No. internally illuminated fascia sign on front elevation.	ApproveConditionally 11-09-15
BE/4/12/A	Replace existing 1 no. non-illuminated totem sign with new cladding using existing structural posts	ApproveConditionally 24-02-12
BE/67/01/A	1 no. externally illuminated fascia sign and 1 no.	Apprvd/Cond ADV

NONE.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bersted Parish Council

Bersted Parish Council: Do not object.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATION RESPONSES RECEIVED:

None

COMMENTS ON CONSULTATION RESPONSES:

None

POLICY CONTEXT

Designation applicable to site:

Within Built Up Area Boundary

Class A Roads

Flood Zone 2 (part of the rear of the building).

DEVELOPMENT PLAN POLICES

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD5 Advertisements

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

ADVERTS

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

PRINCIPLE

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 3.1 of the Councils adopted Supplementary Planning Guidance for adverts confirms that '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 its surroundings of an advertisement.

PROPOSAL

2 x totem signs are proposed. Sign A/1 would replace the existing totem sign at the Rowan Way access and is proposed to be internally illuminated to a level of 300.00 cd/m. Sign B/2 is a new sign which would serve the Shripney Road Access and would not be illuminated in any way.

Sign A/1 would measure 2.2 metres in width, 0.4 of a metre in depth and 5.3 metres in height, while sign B/2 would measure 2.2 metres in width, 0.4 of a metre in depth and 6.5 metres in height.

DESIGN & VISUAL AMENITY

The style of signage proposed, in this case totem, is considered to be of a type regularly used to advertise businesses at retail parks. It should be noted that there is already a totem sign in place at the Rowan Way access.

Officers note that sign A/1, the smaller of the 2 signs would be statically illuminated and have an illuminance level of 300 cd/m.

From an assessment of the plans and the Officer's site visit the design and location of the proposed

totem signs is not considered to have an unacceptably adverse impact upon visual amenity. Given the location of the Retail Park (application site) it is also considered that the proposed totem signs would not unacceptably affect the residential amenity of nearby properties.

PUBLIC/HIGHWAY SAFETY

In the evaluation of the sign consideration has been given to its impact upon public safety, it is vital to consider 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.

Both Rowan Way (A259) and Shripney Road are classified A roads.

Having regard to the Wessex County Council Highways Illuminated Sign Standing Advice, sign A/1 would be sited within Bersted an area classified as Zone E3 (medium district brightness areas) having regard to the Institute of Lighting Engineers' Technical Report Number 5: Brightness of Illuminated Advertisements (2001). Within Zone E3 signs up to 10.00 metres squared should have a max luminance of 800 cd/m² while signs over 10.00 metres squared should have a max luminance of 600 cd/m². Sign A/1 Would have a max luminance of 300 cd/m² and would be internally illuminated rather than flood lit. Sign A/1 is therefore considered to be of an acceptable luminance level that would not result in drivers being dazzled.

From an assessment of the submitted plans Officers consider that the proposed totem signs would not have a detrimental impact with regard to highway visibility. With regard to sign A/1 drivers could safely stop forward of the sign before entering Rowan Way and would enjoy adequate visibility with regard to exiting the site. It is also considered that there would be acceptable visibility available when entering the site by vehicle from the Rowan Way access.

As such, it is considered that location and scale of the totem signs is not considered to post a hazard to public safety and complies with standing highways safety advice and conditions recommended by Highways England.

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

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:

L172133-D09-001, L172133-D09-002, L172133-D09-004, 01 V. 06, 02 V. 06

Reason: For the avoidance of doubt and in the interests of amenity and the environment.

- 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 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.

- 5 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.

- 6 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.
- 7 The intensity of illumination of the proposed sign shall not exceed 300 cd/m.
- Reason: In the interests of the visual amenities of the locality and road safety
- 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.