

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/102/26/A

LOCATION: 42 High Street
Bognor Regis
PO21 1SP

PROPOSAL: 3 No. internally illuminated fascia signs, 2 No. internally illuminated projecting signs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is a currently unoccupied shop in a prominent location on the corner of High Street.
CHARACTER OF LOCALITY	Predominantly commercial at ground floor and residential at first floor.

RELEVANT SITE HISTORY

BR/71/16/A	Installation of 2No. TV's depicting Santander advertisements on East & South elevations	ApproveConditionally 06-06-16
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Relevant site history noted.

REPRESENTATIONS

Bognor Regis Town Council - No objection.

No objection received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Environmental Health Officer - No objection. Conditions proposed with regard to associated planning application reference BR/101/26/PL.

POLICY CONTEXT

Pagham Harbour Zone B.
 2km Buffer for Site of Special Scientific Interest.
 Locally Listed Buildings or Structures of Character.
 Economic Growth Area.
 Within Built-Up Area Boundary.
 CIL Zone 4.

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 National Planning Policy Framework (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 its surroundings.

DESIGN AND VISUAL AMENITY

This proposal is for the installation of 3 No. internally illuminated fascia signs and 2 No. internally illuminated projecting signs. Works to shopfront and plant are assessed under a separate application (BR/101/26/PL).

The fascia sign above the door would measure 0.6m high and 3.6m wide. The two fascia signs on the north and south east elevations would measure 0.8m high and 3.3m wide. The two projecting signs would measure 0.7m by 0.7m and would be 2.9m from the ground level. Only the white lettering and orange logo would be illuminated.

The signs are suitably located, and will have a positive impact to the visual appearance of the unit, without appearing unduly obtrusive or cluttered. They will follow a similar character to other advertisement signage in the area, and will be in keeping with the surrounding locality. None of the signs will detract from others in the area, nor be unduly dominant or intrusive, and will integrate well with the building and its surrounding locality.

The proposal will not have an adverse impact upon visual or neighbouring amenity and are in keeping with the character of the locality, in accordance with the NPPF.

PUBLIC SAFETY

In terms of public safety, it has to be considered whether the advertisements or their 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 proposal is to the front and sides of the premises. The signs will have limited visual impact and will not be unduly intrusive or harmful to pedestrians and road users.

West Sussex County Council Highways standing advice states that illumination levels should not exceed 300 cd/msq in designated Zone E4 (town centre). During the course of this application, the applicant has agreed to amend the proposed illumination levels to a maximum of 300 cd/msq (from 350 cd/sqm) at all times and has agreed for this to be conditioned in accordance with West Sussex County Council standing advice (adverts in Zone E4 should not exceed 300 cd/msq for adverts 0 < 5 m/sq).

Following the amendments, the advertisement would not cause any visual disturbance to vehicles travelling along the road and satisfactory visibility for drivers would be maintained. The proposal is therefore in accordance with the NPPF.

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

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
- Block Plan - RSTH/S7044/13
- Existing and Proposed South East Elevations and Sections - RSTH/S7044/10
- Existing and Proposed North East Elevations and Sections - RSTH/S7044/11

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

- 2 The intensity of illumination of the proposed sign shall not exceed 300 candelas/m2.

Reason: In the interests of the visual amenities of the locality in accordance with paragraph 141 of the NPPF.

- 3 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 paragraph 141 of the NPPF.

- 4 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.

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