

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/107/26/A

LOCATION: 52 High Street
Bognor Regis
PO21 1SP

PROPOSAL: 1 No internally illuminated lightbox (back lit poster display which will be static and changed periodically) to shop front. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	The site is a ground floor unit containing a betting shop which fronts the northern side of the High Street close to the junction with York Road.
CHARACTER OF LOCALITY	The site is within a parade of shops set back from the boundary with the highway. The upper floors are mixed in their use and will not be impacted by the proposal.

No relevant planning history.

REPRESENTATIONS

Bognor Regis Town Council - No objection, request to condition illuminated hours.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted. Hours of illuminance outlined by the applicant as shop trading hours. Condition to be implemented with the permission.

CONSULTATION RESPONSES RECEIVED:

None.

POLICY CONTEXT

Within Built-Up Area Boundary.
Economic Growth Area.
Town Centre Retail Boundary.
2km Buffer for Site of Special Scientific Interest.
Prone to Groundwater Flooding.
Pagham Harbour Zone B.
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**DESIGN AND VISUAL AMENITY**

Paragraph 141 of NPPF (2024) states that '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.'

This proposal is for the installation of 1 No. internally illuminated lightbox sign to be sited within the shop.

The advert would measure 2.2m wide and 1.6m high, raised 0.8m from ground floor level, and set back 0.5m from the shopfront window. The advert would be back lit and overlaid by manually changeable static poster displays.

The sign is suitably located within the shopfront and would have a positive impact on the visual

appearance of the unit, without appearing unduly obtrusive or cluttered. It would follow a similar character to other internal advertisement signage in the area and would be in keeping with the surrounding locality. The advert would not detract from others in the area, nor would it be unduly dominant or intrusive, and it would integrate well with the building and its surrounding locality.

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

PUBLIC SAFETY

In terms of public safety, it must be considered whether the advertisement, or its location, is likely to be so distracting or confusing that it creates a hazard or endangers people in the vicinity who are taking reasonable care for their own, or others', safety. As the sign would be sited within the shopfront, which itself is set back from the highway by the wide pavement, the advert would have limited visual impact and would 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). The applicant confirms that illumination would not exceed 150 cd/msq and that the display would only be operated during the shop's trading hours (08:00-22:00). A condition to this effect will be attached to the permission 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).

The proposal 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, Existing and Proposed Front Elevations L1784/01

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 150 candelas.

Reason: In the interests of the visual amenities of the locality in accordance with paragraph 141 of the NPPF.
- 3 The illuminated lightbox sign shall only be switched on whilst the shop is in use/open for business between the hours of 08:00 - 22:00 Monday-Sunday inclusive and including Bank Holidays.

Reason: In the interests of the visual amenities of the locality in accordance with paragraph 141 of the NPPF.
- 4 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.
- 5 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.
- 6 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.