

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/140/26/A

LOCATION: 58 High Street
Bognor Regis
PO21 1SP

PROPOSAL: Installation and display of 4 No. internally illuminated fascia signs and 1 No. internally illuminated projecting sign.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE CHARACTERISTICS	Vacant retail / commercial unit.
CHARACTER OF LOCALITY	Predominately retail with some residential uses, usually flats.

REPRESENTATIONS

Bognor Regis Town Council have objected to the proposal, raising concerns about levels of luminance resulting from the 5 signs.

One objection has been received from a nearby occupier, stating the proposed use of the site as a gambling venue would not enhance the town centre.

COMMENTS ON REPRESENTATIONS RECEIVED:

The matter of luminance raised by the Parish Council has been addressed in the conclusions section and consultations section below.

The use of the site cannot be assessed under this application, as it deals with advertisement consent only, not the use of the site.

CONSULTATIONS**CONSULTATION RESPONSES RECEIVED:**

Environmental Health - I have reviewed the submitted application and as the lights comply with the levels set out in the Institution of Lighting Professionals PLG05 The Brightness of Illuminated Advertisements, therefore I have no objections.

COMMENTS ON CONSULTATION RESPONSES:

Comment noted.

POLICY CONTEXT

Built-Up Area Boundary.

Town Centre Retail Boundary.
Economic Growth Area.

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.

amended.

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The proposal is for 4 No. internally illuminated fascia signs and 1 No. internally illuminated projecting sign. The site includes a vacant commercial unit at the junction between High Street and Bedford Street.

The replacement fascia sign, set above the windows fronting onto Bedford Street, is slightly lesser in height than those existing; 0.43m rather than 0.45m. The width is proposed to be 4.7m, equal to that of the current fascia sign. A new sign is proposed above the rear access door fronting onto Bedford Street (1.6m X 0.41m), serving a courtyard / service area. The advertisement would be set back from the pavement by approximately 3-4m, resulting in minimal impact on the street scene.

The section of the shopfront directly on the junction between High Street and Bedford Street is splayed, as is the proposed sign. There is no existing sign in this location; the sign would be 0.43m in height and approximately 1.5m in width. The splayed section of the shopfront is covered by a small section of flat roof. The other fascia sign proposed to front onto High Street is 5.9m in width and 0.43m in height, set above the glazed shop front. The existing advertisement is lesser in width, set above the eastern section of glazing only. The extent of the advertisement is appropriate considering it serves the principal elevation of the unit and is similar to other nearby sites.

The projecting sign would front onto the High Street, projecting 0.5m beyond the principal elevation. It would be set above the proposed fascia signs and have a height of 0.5m. There are an abundance of similar projecting signs serving other commercial and retail units nearby.

The proposed signs are typical of those serving commercial or retail units, in terms of location, size and number (considering the site is a corner plot).

The proposed advertisements would not result in harm to design or visual amenity and would accord with the relevant sections of the Town and Country Planning (Control of Advertisements) Regulations 2007.

PUBLIC SAFETY & LUMINANCE

In assessing the sign, consideration has been given to its impact on public safety. It is important to consider whether the advertisement itself, 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.

The location and scale of the signs do not pose a hazard to public safety.

The advertisements are all proposed to be internally illuminated, to reduce any light spillage. The plans specify that luminance levels for the adverts would not exceed 250cd/sqm, less than the maximum of 300cd/sqm advised in the Institution of Lighting Professionals PLG05 The Brightness of Illuminated Advertisements. Environmental Health were consulted on the application and have confirmed that the proposed levels of luminance are in accordance with the relevant guidance.

While the plans do specify that the level of luminance would not exceed 250cd/sqm, a condition has been attached to ensure that levels do not exceed 300cd/sqm, which would be the maximum level that could be allowed on site.

The 5 No. illuminated advertisement would not result in harm to public amenity.

SUMMARY

In the absence of any harm to visual 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
Signage Site Plan
Proposed Advertisements 957-PL-104 00

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

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

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

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

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