

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/167/25/A

LOCATION: Pavement o/s Iceland
72-74 High Street
Bognor Regis
PO21 1SJ

PROPOSAL: Removal of existing BT Phone Kiosk and installation of 1 No new BT Street Hub, incorporating 2 No digital 1.905m internally illuminated LCD advert screens.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above
SITE CHARACTERISTICS	Paved public highway with mixed-use developments on either side.
CHARACTER OF LOCALITY	Town centre high street with some residential accommodation on upper floors.

REPRESENTATIONS

Bognor Regis Town Council - no objection.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

Economic Regeneration - No objection, as this is based on replacing an existing asset to a more modern kiosk.

WSSC Highways - Advice with conditions suggest regarding illuminance levels.

- The proposed location is not anticipated to result in an obstruction to pedestrians utilising the footway, nor to result in an obstruction to vehicular visibility for vehicles travelling on High Street.

Economic Regeneration - No objection.

Environmental Health - No objection.

Conservation Officer - No harm.

- The proposed location lies adjacent to the boundary of the Conservation Area and in close proximity to a Listed Building and other designated heritage assets. The immediate setting of the proposed unit is

dominated by a large modern building which does not contribute positively to the character or significance of the surrounding heritage assets. The new structure would be read more in the context of this modern development, and is therefore unlikely to appear visually intrusive.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

Built up area boundary

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.'

The Streethub will have two digital internally illuminated screens with a size of 95cm in width and 167cm in height to both elevations.

The displays will advertise in partnership with small and medium-sized enterprises, letting them use the screens to reach audiences, with a certain amount of free council advertising per unit per year.

The illuminance levels are proposed at 600cd/m² between dawn and dusk. WSCC Highways have provided comment given it is located on land maintained as public highway. They state that given the High Street would be considered an E3 area (Medium District Brightness), that this be reduced to 300cd/m² during the hours of darkness, as per the guidance outlined in the Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including Digital Displays" (2023). This has been agreed with the applicant and illuminance levels will be conditioned.

The kiosk and integrated display is proposed in a retail area with advertising/hoardings in the vicinity.

The location of the proposal would on balance be suitable and would not appear at odds with the wider character and appearance of the street scene in accordance with the NPPF.

SAFETY

In terms of public safety, it has to be considered whether the display screen 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. Due to the position and design the display is unlikely to cause public safety issues e.g. by distracting drivers or restricting visibility. The adverts by virtue of their location and size do not have an adverse impact on the safety of pedestrians or road users.

SUMMARY

The proposal would not result in harm upon the character of the locality or upon public safety and accords with the NPPF. The application is recommended for approval subject to conditions.

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 Plan - 001 Rev A
- Proposed Site Plan - 002 Rev A
- Proposed StreetHub Elevations - 003 Rev A

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

2 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.

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

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

5 The intensity of illumination of the proposed sign shall not exceed 300 cd/m² between the hours of dusk and dawn.

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

6 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 NPPF.