

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/196/18/A

LOCATION: The Co-op
152-156 Hawthorn Road
Bognor Regis
PO21 2UR

PROPOSAL: Various illuminated & non-illuminated advertisements on various elevations.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	Replacement advertisements to comprise two externally illuminated fascia signs, one hanging sign, relocation of two existing hanging signs, store directory and poster signs. The first externally illuminated fascia sign is proposed for the eastern elevation in Hawthorn Road and measures 0.85m high, 7.3m wide and 0.10m deep. It would be sited 3m high from ground level above two windows. The second fascia sign would be sited 2.7m above the entrance doors in the southern elevation and also be externally illuminated. It measures 0.85m high, 5.5m wide and 0.10m deep. Both of these signs will have trough lighting with a proposed luminance level of 200cd/m². The non-illuminated hanging sign on the Hawthorn Road elevation measures 0.85m high, 0.60m wide and 0.10m deep. The remaining non-illuminated projecting signs for PayPoint and the National Lottery measure 0.49m high, 0.46m wide & 0.06m deep and 0.42m high, 0.46m wide and 0.13m deep respectively. The final Store directory sign adjacent to the entrance door measures 1.7m high, 0.9m wide and is to be affixed to the wall.
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The front (southern) elevation faces the car park area and a path leading to Jasmine Court. The side (eastern) elevation borders Hawthorn Road and is defined by a public footpath.
SITE CHARACTERISTICS	A three storey detached building with red brick elevations and a pitched tiled roof. The current permitted use for the site is a retail unit on the ground floor with residential apartments above.

CHARACTER OF LOCALITY

Mostly residential with two-storey terraced properties of mixed types. There is also a parade of shops in the road a short distance away.

RELEVANT SITE HISTORY

BR/197/18/PL Alteration to shopfront

REPRESENTATIONS**REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council

No objection

No representations received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Noted

POLICY CONTEXT

Designation applicable to site:

Built-up area boundary

Class C Road

DEVELOPMENT PLAN POLICES

DDM4 D DM4 Extensions&alter to exist builds(res and non-res)

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD5 Advertisements

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

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

Paragraph 132 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'. Paragraph 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.

DESIGN AND VISUAL AMENITY

The proposal seeks approval to replace the existing externally illuminated fascia signs, projecting & hanging signs and store directory. The size of the two externally illuminated fascia signs are considered appropriate given the size of the building and the wall space occupied. The method of external illumination is also considered suitable with the two larger advertisements using trough lighting above.

Given the extent of advertisements already present on the site and in the immediate vicinity the design and location of the proposed advert is not considered that to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected.

PUBLIC 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. The location and scale of the sign is not considered to pose a hazard to public safety and complies with WSCC Highways standing advice on safety.

SUMMARY

In summary the advertisements in terms of size, materials, illumination and layout are considered unlikely to detract from the appearance of the building. Further it is considered that the proposal would not have an adverse effect on amenities or public safety.

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

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:-

Drawings 001-088-101 Rev A; 001-088-102 Rev A; 001-088-103 Rev A; 001-088-104 Rev A; 001-088-106 Rev A

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with the National Planning Policy Framework.

- 2 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.

- 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 Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.
- 4 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.
- 5 The intensity of illumination of the proposed sign shall not exceed 200 candelas.
- Reason: In the interests of the visual amenities of the locality in accordance with the NPPF.