

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/19/18/A

LOCATION: Bruce Dixon South Bersted Garage
Shripney Road
Bognor Regis
PO22 9LN

PROPOSAL: 5 No. internally illuminated fascia signs on various elevations (resubmission following BR/302/17/A).

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The proposal seeks to erect 5No. Internally Illuminated signs.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DENSITY	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	The site is open plan, and is adjacent to a main road.
SITE CHARACTERISTICS	The site is populated by a residential unit, with two of its elevations facing the street scene, due to its position on the corner of the road.
CHARACTER OF LOCALITY	The area is predominantly commercial.

RELEVANT SITE HISTORY

BR/1/55/A/ADV	Sign To Replace Existing	Apprvd/Cond ADV 14-01-60
BR/1/55/ADV	Shell & Bp Advert Sign	Apprvd/Cond ADV 10-03-55
BR/197/71/A	Internally Illuminated Identification Sign	Refused 10-05-71
BR/439/73/A	Internally Illuminated Sign	Refused 03-07-73

BR/440/73	Petrol Storage Tank Air Purged Note Acceptor & Gen Alterations	Approve 12-06-73
BR/441/73/A	Internally Illuminated Sign	Refused 03-07-73
BR/546/70/A	Internally Illuminated Pole Sign	Refused 07-10-70
BR/302/17/A	4 No. internally illuminated fascia signs on various elevations.	ApproveConditionally 08-02-18

Noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council
Parish Council - No objection.

No comments received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Environmental Health

CONSULTATION RESPONSES RECEIVED:

None.

COMMENTS ON CONSULTATION RESPONSES:

N/A

POLICY CONTEXT

Designation applicable to site:
Within built up area boundary

DEVELOPMENT PLAN POLICES**PLANNING POLICY GUIDANCE:**

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD5	Advertisements
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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**

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 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.

AMENITY

Given the extent of advertisements already present in the vicinity of the site, the designs and locations of the proposed adverts is not considered that to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties, or commercial units 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 proposed signage is not considered to pose a hazard to public safety and complies with standing highways safety advice.

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 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.

- 2 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.

- 3 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 & Country Planning (Control of Advertisements) Regulations 2007.

- 4 The intensity of illumination of the proposed sign shall not exceed 600 candelas.

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

- 5 The illuminatiuon shall be of constant light, not intermittent.

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