

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/210/17/A

LOCATION: 25 London Road
Bognor Regis

PROPOSAL: 1No. internally illuminated fascia sign & 1No. internally illuminated hanging sign

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

Projecting sign with blue company logo text and website on yellow background, at fascia level. And replacement fascia sign on yellow background with blue company logo and decoration. Both would be internally illuminated to 80cd/m

SITE CHARACTERISTICS

Retail unit in a terrace of retail shops.

CHARACTER OF LOCALITY

Town centre, pedestrianised location with mainly retail uses, some residential on upper floors.

RELEVANT SITE HISTORY

BR/166/93/A	One No. internally illuminated fascia sign	Apprvd/Cond ADV 27-08-1993
BR/341/02/A	Internally illuminated logos/text on fascia panel sign.	ApproveConditionally 05-02-2003
BR/15/61/ADV	Electric box sign	Refused 26-01-1962
BR/265/75/ADV	One fascia sign	Apprvd/Cond ADV 28-05-1975
BR/507/81/ADV	One internally illuminated projecting sign	Apprvd/Cond ADV 01-07-1981

Existing signs granted consent in 2002.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No objections.

Comments on Representations received:

Comments noted.

CONSULTATIONS

WSCC Strategic Planning

Consultations responses received:

WSCC Highways

WSCC do not provide highways comments for signage/ advertisement consents as you have standing advice to follow. If this is a special case and the standing advice cannot be followed then

the reasons why need to be given along with the application.

Comments on Consultation responses:

Comments noted. The application is considered to comply with standing advice

POLICY CONTEXT

Designation applicable to site:

Within built up area boundary

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

PLANNING POLICY GUIDANCE

NPPF
NPPG

National Planning Policy Framework
National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD5

Advertisements

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

ADVERTS

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

INTRODUCTION

As set out in the Development Plan Background section of this report the Council's consideration of this proposal is limited to amenity and public safety.

AMENITY

Paragraph 67 of the NPPF states that "Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts." Given the design of the proposed advertisements and its location in a retail area characterised by various signs; it is considered that the adverts, that will be illuminated to 80cd/m (within the illuminance levels for an urban area-E4 within the Illuminated Signs Standing Advice) will not have an unacceptably adverse impact upon visual amenity nor will residential amenity of any nearby properties be unacceptably affected.

PUBLIC SAFETY

In terms of 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. Therefore, the proposed adverts are not considered to have an adverse impact on the safety of pedestrians or road users.

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

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 adverts hereby approved shall be installed in accordance with the following approved plans:-

Buy a plan
The Works BOGNOR REGIS (all four pages)
TWBR_ADV_1907_P Revision 001

Reason: For the avoidance of doubt and in the interests of amenity in accordance with Arun District Council Supplementary Planning Document: Adverts.

- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 3 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.

- 4 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.

- 5 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.

- 6 The intensity of illumination of the proposed sign shall not exceed 80 candelas per m².

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

- 7 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.