

Recommendation Report for Consent to Display an Advertisement(s)**REF NO:** BR/219/12/A**LOCATION:** Papryka Restaurant
1B Linden Road
Bognor Road**PROPOSAL:** 1 no. internally illuminated fascia sign**SITE AND SURROUNDINGS**

DESCRIPTION OF APPLICATION	One internally illuminated fascia sign
SITE AREA	Approximately 1500 sq metres
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat.
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	N/A
SITE CHARACTERISTICS	Grade II listed building, located on the corner of Linden Road, Station Road and Canada Grove. Two storey red brick building with gabled tiled roof and prominent octagonal tower on the principal facade. Iron columns supporting a front glazed canopy. Original, blacked out sash windows on the north side elevation. The building is a cinema and dates from 1886.
CHARACTER OF LOCALITY	Bognor Regis (Railway Station) Conservation Area. The site is located on the edge of the town centre and is characterised by a mixture of retail and commercial uses, comprising Victorian villas converted to flats with commercial uses at ground floor level.

RELEVANT SITE HISTORY

BR/194/94	Change of use from retail to cafeteria	Approve Conditionally 26-08-1994
BR/286/11/A	One internally illuminated fascia sign	Refused 02-02-2012

BR/24/12/L	Application for Listed Building Consent to build shed at back and decking at front of building. Installation of false ceiling with steel pins not attached to original brickwork, but to wooden fascias. Polystyrene mock timber beams attached on false ceiling. Cladding to the external front-attached to pillars created by previous cafe, not attached to original brickwork. Paint windows on 1st floor in brown colour.	Refused 27-03-2012
BR/23/12/	Build a shed at the back and decking to the front of the building. Cladding to the external front elevation and internal alterations to form a restaurant.	Refused 30-03-2012

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

No comment.

Comments on Representations received:

Noted.

CONSULTATIONS

WSCC Strategic Planning

Listed Building Officer

Consultations responses received:

Historic Buildings Advisor: No objection, subject to amendment. The issue with this shop front more generally, has been achieving some consistency in the design approach. The stained timber frontage has been considered overly rustic in its aesthetic with the result that an extension of the brown decoration is being sought to allow the whole frontage to read as a whole.

The proposed signage is somewhat at odds with the rustic quality of the frontage, so far pursued, but is not considered detrimental when seen in light of the cinema building. In this context, its modernity and use of backlighting is not particularly harmful. The difficulty is getting it to work with the fascia which is white board and which introduces a strong contrast against the brown.

A partial solution that may improve this, would be to add a brown frame to the fascia using a timber moulding. This would help to embrace the sign in to the elevation more generally and become part of the over all scheme. Another solution might be to tone down the white.

County Highways Authority: All of the proposed signage is situated away from the public highway and would not therefore have any consequence to users of the public highway. There is no objection to this proposal.

CAAC: Object. Does not enhance Conservation Area with internal lighting.

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:

Grade II listed building

Class A Road

Class C Road

Conservation Area

No public sewer

DEVELOPMENT PLAN POLICIES

Arun District Local Plan: [AREA2](#)
[GEN7](#)

Conservation Areas
The Form of New Development

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

XXX4

Supplementary Planning Guidance for
Advertisements.

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with regard to visual amenity, aural amenity, public safety, quality of the environment and impact upon the character of the local area.

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

BACKGROUND

The application is a re-submission following a refusal to grant advertisement consent for internally illuminated signage (BR/286/11/A). The previous application was refused for having an adverse impact on the special architectural and historic character of the Grade II listed building and the character and appearance of the Bognor Regis (Railway Station) Conservation Area.

The current application follows negotiation with the Council's Historic Buildings Advisor.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework is a material consideration. Paragraph 67 states that poorly placed adverts can have a negative impact on the appearance of the built and the natural environment. Advertisements should be subject to control in the interests of amenity and public safety.

VISUAL AMENITY

The sign is located on the secondary (north) elevation of the Picturedrome, a Grade II listed building, constructed from red brick with prominent octagonal tower on the principal facade of the building at the junction of Linden Road and Station Road. There are five blacked out sash windows on the north elevation of the building.

The location of the signage and method of illumination is identical to application BR/286/11/A. The Historic Building's Advisor states that the signage (plastic gold lettering on a white plastic fascia against red brick) is somewhat at odds with the rustic quality of the shop frontage that consists of brown timber cladding. However, in his opinion, it is not considered to be detrimental when seen in the context of the cinema building. In this context, its modernity and use of backlighting is not considered to be harmful to the special architectural and historic character of the Grade II listed cinema, which dates from 1886. Following negotiation, a brown frame is to be added to the white plastic fascia using a timber moulding. This partially mitigates the visual harm by creating a more unified approach that integrates the signage to the shopfront. Subject to a condition to ensure that the timber moulding is incorporated into the surround of the fascia, no objection is raised in terms of visual impact or the special architectural and historic character of the listed building.

IMPACT ON HIGHWAY SAFETY

The previous scheme BR/286/11/A was found to have no adverse impact on highway safety. There is no material change to the site, the size of the signage or the method or intensity of illumination. The County Highways Authority previously raised no objection and is satisfied that the sign is positioned sufficient distance from the public highway not to cause any adverse impact on highway safety.

SUMMARY

In summary, subject to a condition to ensure a timber surround to the plastic fascia, the impact of the signage on the Grade II listed building, highway safety and visual amenity is considered acceptable. It is therefore recommended that advertisement consent is granted.

HUMAN RIGHTS ACT

FOR APPROVAL

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 to 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 (Neutral) 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).

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 Within 2 months of the date of this permission, details of the timber moulding to be affixed to the white plastic fascia surround shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented within 2 months of the date of the Local Planning Authority's written approval and retained as such thereafter, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality to comply with policy GEN7 of the Arun District Local Plan.

- 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 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.

- 6 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.

- 7 INFORMATIVE: Summary of Reasons for Grant Article 31 Development Management Procedure Order 2010

SUMMARY

This planning permission is granted because it complies with the policies listed below in that (the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character)and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

LOCAL PLAN: GEN7, GEN2, AREA2

NATIONAL POLICIES: National Planning Policy Framework (2012)

This is only a summary of reasons for granting to comply with Article 31 and full reasons appear in the Officer report.