

Recommendation Report for Consent to Display an Advertisement(s)

**REF NO:** BR/305/19/A

**LOCATION:** 9-11 Water Tower Buildings  
London Road  
Bognor Regis  
PO21 1PN

**PROPOSAL:** 1no. internally illuminated fascia sign & 1no. internally illuminated projecting sign.

**SITE AND SURROUNDINGS**

|                            |                                                                                                                           |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------|
| DESCRIPTION OF APPLICATION | The application seeks consent for 1No internally illuminated fascia sign and 1No. internally illuminated projecting sign. |
| SITE CHARACTERISTICS       | The site is occupied by a commercial unit fronting London Road.                                                           |
| CHARACTER OF LOCALITY      | The area is a mixture of both commercial properties with residential flats above.                                         |

**RELEVANT SITE HISTORY**

|              |                                                                                                                                                            |                                  |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| BR/304/19/PL | Installation of new entrance doors to shopfront, installation of air conditioning & re-colouring of existing shopfront.                                    |                                  |
| BR/264/19/PL | External alterations for separation of building into 2 separate buildings for use as A1 (Shops) & new pedestrian access from new rear unit to Sudley Road. | ApproveConditionally<br>19-12-19 |

Relevant planning history noted.

**REPRESENTATIONS****REPRESENTATIONS RECEIVED:**

Bognor Regis Town Council  
No objection  
No representation received from nearby occupiers.

**COMMENTS ON REPRESENTATIONS RECEIVED:**

Comments noted.

**CONSULTATIONS**

WSSC Strategic Planning

Economic Regeneration

**CONSULTATION RESPONSES RECEIVED:**

WSSC Highways - We do not provide comments for signage/advertisements as there is standing advice to follow.

Economic Development - No comment

**COMMENTS ON CONSULTATION RESPONSES:**

Comments noted.

**POLICY CONTEXT**

Built up area boundary

**DEVELOPMENT PLAN POLICIES**

[Arun Local Plan 2011 - 2031:](#)

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

**DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would not have a materially adverse impact on the residential amenities of nearby properties nor would it have a significant adverse impact upon the established character of the surrounding area.

**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 -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.

#### **DESIGN AND VISUAL AMENITY**

Given the extent of advertisements already present 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 terms of public safety, it has to be considered 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.

A projecting sign is proposed however this retains an acceptable clearance between the footway and the underside of the projecting sign as stated in the WSCC standing advice. The proposed adverts are not considered to have an adverse impact of 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**

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
- Ground Floor Plan and Front Elevation as Proposed - EWM070/AP01 E
  - Location and Block Plan - EWM070/SP01

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM4 of the Arun 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 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 500 cd/m<sup>2</sup>.

Reason: In the interests of the visual amenities of the locality in accordance with D DM4 of the Arun Local Plan.

- 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 D DM4 of the Arun Local Plan.