

Recommendation Report for Consent to Display an Advertisement(s)

REF NO: BR/74/19/A

LOCATION: University Of Chichester
Upper Bognor Road
Bognor Regis
PO21 1HR

PROPOSAL: 2X non illuminated board signs.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks consent for 2x non illuminated signs.
SITE CHARACTERISTICS	The site is occupied by a university campus site with various size buildings, car park and open space.
CHARACTER OF LOCALITY	Adjoining the Mead Lane Conservation Area. Area is mixed use with educational facilities, halls of residence and Butlins to the south. Residential dwelling to the east of the site.

RELEVANT SITE HISTORY

BR/94/19/T	Remove lowest south easterly limb to 1 No. Holm Oak tree	ApproveConditionally 28-05-19
BR/295/18/L	Listed building consent for addition of a steel gateway through the existing modern repair on the wall and repairing the significant Bognor Rock either side of this.	ApproveConditionally 25-02-19
BR/294/18/PL	Re-develop building into a multi faith centre for prayer & reflection. Addition of a steel gateway through the existing modern repair on the wall and repairing the significant Bognor Rock either side of this. This application affects the character and appearance of Upper Bognor Road & Mead Lane Conservation Area.	ApproveConditionally 08-03-19
BR/137/18/PL	Application for variation of condition following grant of planning permission BR/54/16/PL relating to condition no.2 - (List of plans/drawings) amendment to floor plans	
BR/363/10/NMA	Application for a non-material amendment following the	Approve

grant of Listed Building Consent BR/160/10/L for replacement windows instead of repairs due to extensive damage.

13-01-11

BR/41/18/PL	Proposal 1: upgrading of provisions within existing substation compound to include provision of new concrete hardstanding, a GRP enclosure will be situated on base in compound. Proposal 2: upgrading of provisions on land adjacent to existing substation compound to include new concrete hardstanding & construction of shiplap wooden fence as means of closure. This application affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area & may affect the setting of a listed building.	ApproveConditionally 17-05-18
BR/342/17/DOC	Application for approval of details reserved by condition imposed under planning application BR/54/16/PL relating to condition No. 9 - University Sustainable Travel Plan	DOC Approved 02-02-18
BR/333/17/DOC	Application for approval of details reserved by condition imposed under planning permission BR/53/17/PL relating to condition No. 4 - Detailed drawing of the juncture between the 'rat trap' masonry of the east-west wall and the brick/ flint masonry wall projecting southwards	DOC Approved 01-03-18
BR/323/17/DOC	Approval of details reserved by condition imposed under BR/54/16/PL relating to condition 26-schedule & samples of materials & finishes.	DOC Approved 21-12-17
BR/264/17/PL	Plant on roof of EDTP building. This application affects the character and appearance of Upper Bognor Road & Mead Lane Conservation area & the setting of a Listed Building	ApproveConditionally 14-12-17
BR/178/17/DOC	Application to discharge condition imposed under planning reference BR/54/16/PL relating to condition No. 11 (Discharge of any flows to watercourses, culverting, diversion, infilling or obstruction of any watercourse on the site)	DOC Part Approved 10-08-17

BR/117/17/NMA	Application for a Non-Material Amendment following the grant of BR/54/16/PL for reduced height of parapet to CDIO, bridge link to stage 1 roof replaced with fixed verticle ladder, site layout updated to remove eastern road link and minor adjustments to car park layout (no. of spaces unchanged).	Approve 05-06-17
BR/53/17/PL	Repairs to rat trap bond wall & extend east by 2.5m then turn South by 3.5m to meet existing footpath & structural repairs to Western flint wall. This application affects the setting of Listed Buildings & the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area.	ApproveConditionally 25-05-17
BR/342/16/DOC	Application for approval of matters reserved by conditions imposed under BR/54/16/PL relating to Conditions(s) 10 - Surface water drainage scheme, 16 - Measures to divert public sewers, 17 - Foul & surface water sewerage disposal details & 27 - Details of exact location of the rising main & foul sewer pipe identified & plan identifying Southern Water Infrastructure of locations of the pipe run.	DOC Approved 21-07-17
BR/214/16/DOC	Application for approval of details reserved by condition imposed under BR/54/16/PL relating to condition No. 7 (Construction management plan), 10 (Surface water drainage), 12 (Watercourse), 14 (External lighting scheme), 15 (Noise), 16 (Public sewers), 17 (Foul & surface water sewerage disposal), 18 (Cars), 19 (Roof plant), 23 (Landscaping scheme), 24 (Tree retention & protection plan), 25 (Programme of archaeological work & scheme of investigation), 26 (schedule of materials) & 34 (Programme of ecological work)	DOC Part Approved 01-08-17
BR/146/16/L	Application for Listed Building Consent to remove two sections of the curtilage wall forming the boundary of 71 Upper Bognor Regis Road to allow for a pedestrian link to be formed; construction of supporting brick piers; rebuilding of collapsed boundary walls; and necessary repairs to the listed wall	ApproveConditionally 20-12-16
BR/54/16/PL	Development of land to east of The University of Chichester, Bognor Regis Campus to construct an Engineering & Digital Technology Park, new access from	ApproveConditionally 14-07-16

Felpham Way, erection of first phase of student accommodation (171 spaces), car parking & associated landscaping. This application affects the setting of listed buildings & affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area. This is a Departure from the Development Plan.

BR/24/15/TC	Cut back limbs of 1 No. Oak tree on south side of canteen side by 4-5m & reduce height of shrub hedge, containing Laurel, Holly & Elaeagnus, to 3m within the Upper Bognor Road & Mead Lane Conservation Area.	No Objection 17-03-15
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Relevant planning history noted.

REPRESENTATIONS

REPRESENTATIONS RECEIVED:

Bognor Regis Town Council

Bogor Regis Town Council provided no objection.

No representation from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

Comments noted.

CONSULTATIONS

Arboriculturist

Conservation Officer

CONSULTATION RESPONSES RECEIVED:

Conservation Area Advisory Committee provided an objection based on a lack of information concerning the quality of the boards. The detail should be submitted as it is located in a sensitive area.

COMMENTS ON CONSULTATION RESPONSES:

The detail on the signs will change depending on the time of year however the application is determined on the size and location of the signs and not the content.

POLICY CONTEXT

Designation applicable to site:

Built up area boundary

Conservation Area

Listed Building

Tree Preservation Order

DEVELOPMENT PLAN POLICES

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

HERDM1 HER DM1 Listed Buildings
HERDM3 HER DM3 Conservation Areas

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework
NPPG National Planning Practice Guidance

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 -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

There are advertisements present in the vicinity and the design and location of the proposed adverts are not considered to have an unacceptably adverse impact upon visual amenity nor will residential amenity of nearby properties be unacceptably affected. One of the boards will be positioned to the outskirts of the Conservation Area however this is deemed to have a neutral impact due to the size and design.

LISTED BUILDING

The advertisements are located near to a Listed Building. Para 189 of the NPPF requires the LPA to identify the significance of the heritage asset affected by a proposed development - The heritage asset in this case are of some significance. Para 190 requires the LPA to consider the significance of the impact upon that heritage asset - The proposal has limited impact on the significance of the heritage assets as a result of the modest size and siting. Para 192 requires us to take account of other factors- The signs will advertise events that will take place at the University and is therefore of benefit to the public.

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. Due to the proposed location and design of the signs in that they are non-illuminated they are not considered to have an adverse impact upon 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
- Plans - BRC/adv-04
 - Location/Block Plan - BRC-adv-01
 - Block Plan - BRC-adv-03
 - Block Plan - BRC-adv- 02

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy DDM1 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 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.