

Recommendation Report for Planning Permission

REF NO: BR/91/26/PL

LOCATION: Pavement outside Poundland
36-38 London Road
Bognor Regis
PO21 1PY

PROPOSAL: Installation of 1 No. internally illuminated new BT Street Hub, incorporating 2 No. digital 75" LCD advert screens. This application is in CIL Zone 4 (Zero Rated) as other development.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	This application seeks the installation of 1 No. internally illuminated BT Street Hub, incorporating 2 No. digital 75" LCD advert screens.
SITE CHARACTERISTICS	The site resides in London Road, one of the primary shopping streets in the town, which runs north to south and is met by shopfronts to ground floor of two storey terraces on both the east and west sides. The sign would sit between existing street furniture, outside of the existing Poundland retail unit. The site resides within a distinctly commercial space and serves primarily as a footpath for the space.
CHARACTER OF LOCALITY	The area is distinctly commercial in nature, being located within Bognor's primary retail centre. Many upper-floor units along London Road are often residential, but the predominantly commercial development within the immediate surroundings informs the primary character of the site's locality.

RELEVANT SITE HISTORY

BR/141/25/PL	Installation of 1 No. communications kiosk with integrated defibrillator and advertising display. This application is in CIL zone 4 (zero rated).	Refused 02-10-25 Appeal: Dismissed 02-02-26
BR/12/25/A	Installation of 1 No. illuminated advertising display within communications kiosk with integrated defibrillator.	Refused 02-04-25 Appeal: Dismissed 15-09-25
BR/11/25/PL	Installation of 1 No. new communications kiosk with integrated defibrillator and advertising display. This application is in CIL Zone 4 (Zero Rated) as other	Refused 02-04-25

development.

Appeal: Dismissed
15-09-25

BR/14/25/A Installation of 1 No. illuminated advertising display within communications kiosk with integrated defibrillator. Refused
02-04-25

Appeal: Dismissed
15-09-25

BR/13/25/PL Installation of 1 No. new communications kiosk with integrated defibrillator and advertising display. This application is in CIL Zone 4 (Zero Rated) as other development. Refused
02-04-25

Appeal: Dismissed
15-09-25

BR/142/25/A Installation of 1 No. communications kiosk with integrated defibrillator and advertising display. Refused
02-10-25

Appeal: Dismissed
02-02-26

BR/141/25/PL & BR/142/25/A - This application was for the installation of 1 No. communications kiosk with integrated defibrillator and advertising display and was refused by Arun District Council and was subsequently dismissed at appeal by an inspector on the ground of visual clutter and visual amenity. The site is approximately 100m north of the application site.

BR/11/25/PL & BR/12/25/A - The proposal was for the installation of 1 No. new communications kiosk with integrated defibrillator and advertising display. The proposal was refused due to harm to the character of the area and visual amenity, which the inspector agreed with during the subsequent appeal. The site is approximately 40m to the south of the application site.

BR/13/25/PL / BR/14/25/A - The proposal was for the installation of 1 No. new communications kiosk with integrated defibrillator and advertising display. The application was refused due to harm to the character and visual amenity of the locality, which the inspector agreed with following the subsequent appeal. The site is approximately 100m to the south of the application site.

REPRESENTATIONS

Bognor Regis Town Council have due to the increased visual clutter, obtrusive nature of the hub, extent of the proposed illumination and harm to the character of the locality.

No representation received from nearby occupiers.

COMMENTS ON REPRESENTATIONS RECEIVED:

The concerns raised by the Town Council have been addressed in the conclusions section below.

CONSULTATIONS

CONSULTATION RESPONSES RECEIVED:

West Sussex County Council Highways - This application is for the installation of 1 No. internally illuminated new BT Street Hub, incorporating 2 No. digital 75" LCD advert screens. The site is located

on London Road, an E-classified road.

The proposed unit will be located within land maintained as public highway. Having reviewed the plans, the proposed unit is not anticipated to obstruct the route or flow of pedestrians along London Road. As the proposed works will take place within public highway, the applicant is advised to obtain formal approval from the local WSCC Highway Area Office to undertake the works.

The submitted documents state that the illuminated displays will not exceed 600cd/m2 during hours of darkness. Given London Road would be considered an E3 area (Medium District Brightness), the LHA would request that this be reduced to 300cd/m2, as per the guidance outlined in the Institute of Lighting Engineers' Professional Lighting Guide 05/23 "The Brightness of Illuminated Advertisements including Digital Displays" (2023).

In conclusion, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following condition and informative should be applied.

COMMENTS ON CONSULTATION RESPONSES:

Comments noted.

POLICY CONTEXT

- Within Town Centre Retail Boundary.
- Within Economic Growth Areas.
- Within proximity of Southern Water Sewer Lines.
- Pagham Harbour Zone B.
- Within an area with potentially high groundwater levels.

DEVELOPMENT PLAN POLICIES

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

DDM1	D DM1 Aspects of form and design quality
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PLANNING POLICY GUIDANCE:

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13	Arun District Design Guide (SPD) January 2021
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POLICY COMMENTARY

The Development Plan consists of the Arun Local Plan 2011 - 2031, West Sussex County Council's Waste and Minerals Plans, The South Inshore & South Offshore Marine Plan and Made Neighbourhood Development Plans. The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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 be contrary to relevant Development Plan policies in that the proposed works would result in demonstrable harm to the character and appearance of the street scene.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that

(2) in dealing with an application for planning permission the authority shall have regard to -

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations

OTHER MATERIAL CONSIDERATIONS

There are no other material considerations to be weighed in the balance with the Development Plan.

BIODIVERSITY NET GAIN

This application is not subject to statutory Biodiversity Net Gain.

CONCLUSIONS

SITE HISTORY

A number of similar applications, on both London Road and in other locations around the District, have been refused since 2024. The decisions were appealed and dismissed on the basis that the kiosks / hubs would be a visually obtrusive form of development, detracting from the existing shopfronts and would result in demonstrable harm to the character of the locality and visual amenity of the street scene and wider area. Given that the hub proposed within this application is similar to other locations previously refused, the appeal decisions are a material consideration in the determination of these applications and have been included in Appendix A to the Officers Report.

DESIGN AND VISUAL AMENITY

The application seeks planning permission for the installation of 1 No. internally illuminated new BT Street Hub, incorporating 2 No. digital 75" LCD advert screens. The proposed street hub would be set perpendicular to the shop fronts along London Road, and have digital advertisement displays on both the front and rear facing elevations made from tempered, laminated glass. The hub itself would be made of galvanised steel with a powder coated aluminium exterior.

It is acknowledged that the proposed street hub is a modern and contemporary design. However, it is important to address the requirement of the intended purpose. London Road is a paved road with high pedestrian footfall. The street hub would be within close proximity to public seating and other street furniture including a lamp column, refuse bin and bicycle racks, and as such the proposed street hub would add to the existing equipment, resulting in a cluttered appearance within the street scene and detracting from the existing shopfronts along this part of London Road. The appeal decision for

BR/11/25/PL (see Appendix A of the Officer Report) for a similar telephone kiosk which was lesser in height outside of 24 London Road, concluded that development would cause unacceptable harm to the character and appearance of the area, contrary to Arun Local Plan policy D DM1.

The proposed street hub would include the ability to make telephone calls and include free access to ultra-fast Wi-Fi (with 4g and 5g connectivity). While it is acknowledged that increased internet connectivity would be beneficial, research via Ofcom shows that 5G mobile signal is likely for the majority of mobile phone providers in this location, thus poor mobile phone coverage does not exist in this location. LU/25/25/PL (for the installation of 1 No. new communications kiosk with integrated defibrillator and advertising display, in an area of equal mobile connectivity) was dismissed at appeal by the planning inspectorate (see Appendix A of the Officer Report), who concluded that this benefit did not outweigh the harm to character or visual amenity. Further to this, there is an existing public call box at Bognor Regis Train Station, approximately 0.1m from the application site and only a three minute walk.

For the reasons outlined above, the proposed development would result in demonstrable harm to the character and appearance of the street scene and is therefore contrary to Arun Local Plan policy D DM1, the Arun Design Guide and the NPPF.

NEIGHBOURING RESIDENTIAL AMENITY

The kiosk would be located on the land outside 24 London Road. Due to its scale and its position, the kiosk would not result in any overbearing, overshadowing, or overlooking effects to neighbouring amenity.

The proposal is in accordance with policy D DM1 of the Arun Local Plan in that it would not result in unduly harmful adverse overshadowing, overlooking or overbearing effects on neighbouring properties.

CONCLUSION

The proposed kiosk, by reason of its siting would be within close proximity to existing public seating and street furniture, resulting in additional clutter within the street scene of London Road. The kiosk would be a visually obtrusive form of development, detracting from the existing shopfronts and would result in demonstrable harm to the character of the locality and visual amenity of the street scene. The proposed development is therefore contrary to Arun Local Plan policy D DM1 and the NPPF.

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), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for refusal of permission in this case interferes with applicant's right to respect for their private and family life and their home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of neighbours). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for refusal 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.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

REFUSE

- 1 The proposed street hub, by reason of its siting would be within close proximity to existing public seating and street furniture, would result in additional clutter within the street scene of London Road. The kiosk would be a visually obtrusive form of development, detracting from the existing shopfronts and would result in demonstrable harm to the character of the locality and visual amenity of the street scene. The proposed development is therefore contrary to Arun Local Plan policy D DM1 and the NPPF.
- 2 **INFORMATIVE:** Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.