

Recommendation Report for Consent to Display an Advertisement(s)**REF NO:** **FP/164/17/A****LOCATION:** Various locations in Felpham
 and Bognor Regis**PROPOSAL:** 6 No. non illuminated oak lecturn interpretation panels with graphic panel on each. This application also lies within the parish of Bognor Regis.**SITE AND SURROUNDINGS****DESCRIPTION OF APPLICATION**

As above.

The lecterns would be 1m high with 0.6m of the support posts to be inserted into the ground. One panel for the Thatched House Pub will be installed 1m from ground level on the external wall of the pub

SITE AREA

The signs would be in various locations in Felpham and Bognor Regis.

SITE CHARACTERISTICS

Various urban locations on public rights of way within the Parish of Felpham and Bognor Regis.

CHARACTER OF LOCALITY

Urban Parish on the outskirts of Bognor Regis and within the Parish of Bognor Regis itself. The signs would be located within local parks, on streets and beach front public rights of way.

RELEVANT SITE HISTORY

BR/61/87/A	Non illuminated signs in various positions	Refused 14-10-1987
BR/391/89/A	One non illuminated Fascia Sign	Permit'd Devel 15-11-1989
BR/407/89/A	One No Non-Illuminated fascia sign	Permit'd Devel 15-11-1989
BR/390/89/A	One non-illuminated fascia sign	Permit'd Devel 15-11-1989
BR/77/05/	Extend existing railway ticket office and extend existing train lock up area.	Approve 15-04-2005

BR/235/09/A	10m fibre glass flag pole displaying green flag award winner 2009/10 flag	ApproveConditionally 02-12-2009
BR/143/14/A	3 No. non-illuminated fascia signs	ApproveConditionally 27-08-2014

None directly relevant.

REPRESENTATIONS

Representations received:

Felpham Parish Council

Bognor Regis Town Council

No objection

Bognor Regis Town Council

No objection

One letter of public representation received negatively commenting on the quality of the application submission documents but providing and stating 'an objection'. It is assumed the objection is largely to the quality of the application not the content of the application itself. It is noted that the comment states the streets are already cluttered so the officer assumes an objection on the grounds of street clutter and detrimental impact on public safety.

Following supplementary plans and an elevation submission the same member of the public stated:

No objection.

"I still think the plans provided are too vague and do not clearly identify the locations. However, having looked them up on my own mapping system it appears that the two sea front panels will be located on the shingle and not on the promenade. If this is the case then I am happy for you to proceed."

Comments on Representations received:

Comments noted.

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

Comments noted.

POLICY CONTEXT

Designation applicable to site:
Sign within Conservation Areas:

1. Hotham Park
2. Thatched House Pub
3. Blake's Cottage

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003:

PLANNING POLICY GUIDANCE

NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE

SPD5	Advertisements
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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

Para. 67 of the National Planning Policy Framework (NPPF) states that 'advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'. Para. 3.1 of the Councils adopted Supplementary Planning Guidance for adverts confirms that 'The display of outdoor advertisements can only be controlled in the interests of 'amenity' and 'public safety'. The control system in place for advertising is concerned with the visual effect on its surroundings of an advertisement.

The adverts would be positioned to the sides of public footpaths and on a pub wall. The advertisements are not illuminated nor considered to be overly loud or obtrusive. They are of a subdued yet traditional design and do not have a detrimental impact on the visual amenity of the street scenes. Within the conservation areas they are considered to preserve the character of the area given their traditional design and materials.

PUBLIC SAFETY

In the evaluation of the proposed signs consideration has been given to its impact upon 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.

The location and scale of these signs is not considered to post a hazard to public safety and complies with standing highways safety advice and conditions recommended by Highways England.

CONCLUSION

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 permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 1st November 2022 or whenever the final house constructed by the developer is sold or let, whichever is the sooner.

Reasons:

Reason: As required by Regulation 14(1)(a) of the Town & Country Planning (Control of Advertisements) Regulations 2007 and in the interests of amenity in line with SPD5: Advertisements.

- 2 The adverts hereby approved shall be carried out in accordance with the following approved plans and details:-

1. Hotham Park
2. Ladybrook Community Orchard
3. Thatched House
4. Blake's Cottage
5. Seafront 1
6. Seafront 2
"When the meadows laugh.."
"And did this feet in ancient time"
"It is the greatest of crimes.."
"Away to sweet Felpham.."
"God damn the King!"
"To see the World in a Grain of Sand,"
Specification of oak lecterns and interpretation panel

"Guide to maps"
Seafront1
Seafront2
Field View
Miniature Railway
Fox Inn (PH)
THE THATCHED HOUSE

Reason: In the interests of amenity in line with SPD5: Advertisements

- 3 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.

- 4 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.

- 5 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.

- 6 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.

- 7 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.