

Application Number: 15/11242 Advertisement Consent

Site: UNIT 6 PARKLAND PLACE, 39-41 OLD MILTON ROAD,
NEW MILTON BH25 6DJ

Development: Display illuminated fascia sign; non-illuminated post mounted sign;
canopy (Application for Advertisement Consent)

Applicant: Mitchells Management

Target Date: 16/10/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Town Council

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area

Town Centre Boundary

Secondary shopping frontage

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
6. Towns, villages and built environment quality

Policies

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

No relevant policies

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

National Planning Policy Framework
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

New Milton Local Distinctiveness Supplementary Planning Document

6 RELEVANT PLANNING HISTORY

15/10440 Display two internally illuminated fascia signs; one post-mounted sign (Application for Advertisement Consent) 20/05/2015 Refused

10/95392 Display 1 internally illuminated fascia sign 01/06/2010 Granted Subject to Conditions

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council recommend refusal.

1. The non-illuminated post mounted sign is set so high that it obscures the flower bed and is detrimental to the street scene.
2. The illuminated fascia sign with canopy over will not prevent light pollution escaping from the left side into the sitting room and the illumination is oppressive in the street scene.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Environmental Health - The amended application appears to have addressed the concerns of the Environmental Health Officer raised in the previous application. It is recommended conditions are applied to any approval for the sign to be installed in accordance with the plans and that the illumination is restricted to opening hours.

Hampshire County Council Highways - no objection

10 REPRESENTATIONS RECEIVED

One letter of objection from neighbour at Flat 12, Parkland Place because two thirds of the fascia sign at unit 6 is attached to the wall of Flat 6 and is much larger and higher than the signs on the other commercial units at Parkland Place. The canopy is also attached to Flat 6 and they have not been given permission for the sign or canopy to be attached to the flat. The post mounted sign is extremely large and dominates the forecourt making the building look very commercial rather than residential.

One letter commenting that a consultation letter was not received.

11 CRIME & DISORDER IMPLICATIONS

No relevant implications

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 The premises consist of a commercial unit currently occupied by a letting agent at ground floor with a flat above. The site is located within New Milton Town Centre on a corner location where Elm Avenue meets Old Milton Road. There are a number of commercial units and retail stores in the locality along with residential properties. There is a fairly large forecourt area in front of the units for pedestrian use only.
- 14.2 The main considerations when assessing this application are the impact on the local amenity and highway safety. This application follows a recent proposal which was refused. This current scheme has removed one of the illuminated signs, repositioned the main fascia and added a canopy to screen the illumination.
- 14.3 There is a variety of signs in the area, with some being illuminated. A previous application for illuminated signage was approved in 2010, however this was for a smaller sign.

- 14.4 The applicant has indicated within their supporting statement that they would accept the illumination being turned off outside of office hours and therefore any approval could be conditioned to this affect.
- 14.5 Environmental Health were consulted regarding the impact on the occupiers of the flat above and have advised that as the smaller illuminated sign has been removed and the larger illuminated sign has been mitigated with a canopy over the amended application appears to have addressed their concerns. Whilst there might be light spillage to the front of the premises the applicant has offered mitigation so that the sign is only illuminated during opening hours. Therefore Environmental Health have no objection provided conditions are applied to any approval for signs to be installed in accordance to the plans submitted and the hours of illumination are restricted to opening hours.
- 14.6 A neighbour has indicated that the applicants do not have consent to install the signs on the wall shared with the occupiers of the flat above. However the applicants did write during the last application to confirm that they had the permission of the land owner. Therefore there is no reason to believe that this is not the case and if it is not it would be a legal issue and not a planning concern.
- 14.7 A neighbour and the Town Council have objected to the post mounted sign as it obscures the flower bed and is detrimental to the street scene. This sign is positioned on a boundary wall closest to the neighbour at number 29. Given its low overall height and angle to the road it is not visually intrusive on the street scene and therefore does not have a detrimental impact on local amenity.
- 14.8 The reduction in the number of illuminated signs would be an improvement while the main fascia sign is still fairly large and appears somewhat bulky with the added canopy, given that it has been lowered, taking into account the Town Centre location and wider context, the impact on local amenity would not be sufficiently harmful to warrant refusal. Therefore the application is recommended for approval.
- 14.9 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

15. RECOMMENDATION

GRANT ADVERTISEMENT CONSENT

Standard Conditions

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. 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.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Proposed Conditions:

1. The amended proposals shall be implemented before the expiration of two months from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans: 1731-1 A, 1731-2 A, 1731 - 3 A & 1731-3 A

Reason: To ensure satisfactory provision of the development.

3. The lighting hereby permitted shall only be utilised during the opening hours of the premises which are 8am to 6pm Monday to Saturday.

Reason: To safeguard the visual amenities of the area / the amenities of nearby residential properties in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council

takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Householder Team

Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee
November 2015**

Item No: 31

Unit 6 Parkland Place
39-41 Old Milton Road
New Milton
15/11242
SZ2494

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

