

Application Number: 15/11352 Advertisement Consent
Site: 19 LONG LANE, HOLBURY, FAWLEY SO45 2LF
Development: Display 2 non-illuminated post mounted signs
(Application for Advertisement Consent)
Applicant: Mrs Church
Target Date: 15/12/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

HSE Consultation Zone
Plan Area

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

None relevant

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

None relevant

6 RELEVANT PLANNING HISTORY

15/10232 Use of outbuilding as training facility, single storey extension to outbuilding granted subject to conditions 17/04/2015

7 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council: recommend permission

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Hampshire County Council Highway Officer: no objections (no conditions)
NPA Trees: object

10 REPRESENTATIONS RECEIVED

None received

11 CRIME & DISORDER IMPLICATIONS

Not applicable

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.

No pre application advice was sought prior to the application being submitted. Concerns were raised in the initial briefing in relation to the signs, with regard to their appropriateness on a residential dwelling and these views were made publicly available on the website. The harm to the visual amenity of this established residential area and impact on mature protected trees justify refusal of both signs in this instance.

14 ASSESSMENT

- 14.1 The application site consists of a detached residential dwelling, situated in the built up area of Holbury. There has been a recent planning approval for a training facility to be sited within the curtilage of the dwelling, but the predominant use of the site is residential. There are two established commercial properties within this row of properties, namely a dentist and children's nursery which have a single sign each advertising their premises, sited on the front boundary.
- 14.2 When assessing advertisement applications, the considerations are the impact on public safety and visual amenity.
- 14.3 Both proposed signs would be pole mounted signs featuring acrylic signage advertising the business being undertaken at the site. Sign A would be the wider sign and would be sited behind the existing front hedge, whereas Sign B would be sited by the vehicular access to the site.
- 14.4 The proposed signs would not have a detrimental effect on highway safety.
- 14.5 The character of the area is predominantly residential, as is the prevailing use of the property. The signage would result in the business use of the site being more dominant, which would not reflect its secondary nature and low level impact. The proposed signs, by reason of their number, height, design and position would not be appropriate within a residential setting.
- 14.6 Both these signs are unacceptable in this location. The necessity for this is that the current business use being operated from the property is a secondary use only, the primary use of the property is residential. The installation of two large signs to the front of the site would give undue prominence to the business use. There are two solely commercial properties along this road, but they only have one sign each advertising their respective businesses and these are appropriate to their uses on these buildings and they do not detract from the prevailing residential character of the area. A smaller sign fixed on the existing fence at the entrance to the site would be more appropriate in this location and also would not interfere with the protected trees.
- 14.7 Furthermore, there are protected trees along the frontage of the application site and the proposed siting of the signs could cause harm to these trees. TPOs are served to protect trees that have been identified as important on the grounds of their amenity value, any works that would detrimentally harm these trees are considered to be unacceptable. Therefore, the cumulative impact of these two large signs would detract from the visual amenity and character of the area, and as such the proposals are recommended for refusal.

- 14.8 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 this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

15. RECOMMENDATION

REFUSE ADVERTISEMENT CONSENT

Reason(s) for Refusal:

1. By reason of their number, height, design and positioning, the proposed signs would introduce an unacceptable commercial element to the site frontage which would be detrimental to the street scene and prevailing residential character of the application site and the wider area. As such the proposal would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.
2. Due to their position, the proposed signs could potentially result in damage and obstruction to the two large mature oak trees on the site frontage that are protected by a Tree Preservation Order. Insufficient information has been provided to demonstrate that there is adequate space for these signs and detrimental harm to the trees would not result. As such the proposal would be contrary to Policy CS2 of the Core Strategy for the New Forest District outside the National Park.

Notes for inclusion on certificate:

1. 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.

No pre application advice was sought prior to the application being submitted. Concerns were raised in the initial briefing in relation to the signs, with regard to their appropriateness on a residential dwelling and these views were made publicly available on the website. The harm to the visual amenity of this established residential area and impact on mature protected trees justify refusal of both signs in this instance.

Further Information:

Householder Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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**Planning Development
Control Committee**
January 2016

Item No: 3f
19 Long Lane
Holbury
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15/11352
SU4303

Scale 1:1250

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

