

Application Number: 16/10626 Advertisement Consent

Site: 49 OLD MILTON ROAD, NEW MILTON BH25 6DJ

Development: Display illuminated fascia sign & non-illuminated window & door signs (Application for Advertisement Consent)

Applicant: Lemon Tree

Target Date: 30/06/2016

Extension Date: 10/08/2016

1 REASON FOR COMMITTEE CONSIDERATION

Deferred from Committee meeting in July 2016

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built up area
Town Centre

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

- CS1: Sustainable development principles
- CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
NPPF Ch.2 - Ensuring the vitality of town centres
NPPF Ch. 7 - Requiring good design

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - New Milton Local Distinctiveness

6 RELEVANT PLANNING HISTORY

16/10627 - shopfront, use of first and second floor as 2 flats. Withdrawn

16/10813 - shopfront. Under consideration.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council - initial comments: object and would not accept a delegated approval. Cannot be accurately judged with the withdrawal of the shop front application. Updates comments raise no concerns with this proposal.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

Highway Authority - no objection

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

None

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.

The application was amended following the changes made to the application for the new shopfront.

14 ASSESSMENT

- 14.1 The application was deferred from the July meeting of Committee as the Town Council had not had the opportunity to comment on the amended plan. The assessment below is as set out in the last meeting of this Committee.
- 14.2 The site lies within the built up area of New Milton in a secondary shopping parade within the town centre. It is a vacant shop unit which has an existing timber fascia together with painted lettering on the glazing above and below the transom. The proposal entails a new fascia with external illumination together with window transfers detailing the opening hours of business and the company logo together with etched glazing to the lower part of the windows. The design is similar to the existing premises for the business a few doors away to the north.
- 14.3 This part of the Town Centre has seen many changes over the years and there is no definitive character or style with regard to the shopfronts and associated signage. While the immediately adjacent properties do not have illuminated signage, there are examples in the vicinity of lighting similar to that proposed (chip shop to the south west as well as the existing premises) and swan necked external illumination too. The fascia is proportionate to the existing fascia and the lettering/logo are central to the shop part of the frontage. (The frontage also includes access to the residential accommodation above).
- 14.4 With regard to the window transfers and etching, whilst planning permission would still be required for the shopfront a revised scheme has been submitted to which these adverts would be applied, there are no objections to the principle of providing them given that they are very similar to the existing premises to the north. Further, the existing shop and repair centre next door both have wording on the glazing.
- 14.5 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).

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.

The application was amended following the changes made to the application for the new shopfront.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee
August 2016**

Item No: 3s

49

Old Milton Road
New Milton
16/10626
SZ2494

Scale 1:1250

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

