

Application Number: 17/10937 Advertisement Consent

Site: 38-40 CHRISTCHURCH ROAD, RINGWOOD BH24 1DN

Development: Display 1 non-illuminated fascia sign; 1 externally illuminated projecting sign (Application for Advertisement Consent) (retrospective)

Applicant: Mr Price

Target Date: 05/09/2017

RECOMMENDATION: Grant Advertisement Consent

Case Officer: Julie Parry

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Town Council view

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Archaeological Site
Aerodrome Safeguarding Zone

Conservation Area: Ringwood Conservation Area

Plan Policy Designations

Built-up Area
Town Centre Boundary

National Planning Policy Framework

Section 7

Core Strategy

CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

4 RELEVANT SITE HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
17/10233 Display 1 internally illuminated fascia sign; 1 internally illuminated projecting sign (Application for Advertisement Consent)	07/06/2017	Refused	Decided	
96/NFDC/59855/ADV Illum fascia, projecting and car park signs (retrospective)	14/11/1996	Granted (Advert)	Decided	
XX/RFR/13803 Alterations including formation of additional shop unit.	16/12/1970	Granted Subject to Conditions	Decided	
XX/RFR/00110/ADV Illuminated sign.	26/07/1955	Granted Subject to Conditions	Decided	
XX/RFR/00105/ADV Illuminated sign.	31/03/1955	Refused	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: initially recommended refusal as the Committee felt that the size and protrusion of the shield and lettering, in addition to the proposed new 'swan neck' light, was inappropriate in the Conservation Area.

Following the receipt of amended plans and luminance levels the Town Council accepted the compromise proposed in respect of the lighting, however remain of the view that the size and protrusion of the shield and lettering is inappropriate in the Conservation Area.

7 CONSULTEE COMMENTS

Hampshire County Council Highway Engineer: no objection

Conservation Officer: initially objected to the swan light illumination to the fascia sign and the bright light to the hanging sign. Following the receipt of amended plans and details of luminance levels there are no further objections to the scheme.

8 REPRESENTATIONS RECEIVED

Total Number of Representations Received: 1

Comment(s): In Favour: 0 Against: 1

The Ringwood Society raised an objection to the original plans in that the signage should follow the guidance on shop fronts and agreed with the Case Officer's initial comments .

9 CRIME & DISORDER IMPLICATIONS

None relevant

10 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

11 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 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.

Amended plans were received to overcome the initial concerns raised and therefore in this case all the above apply and as the application was acceptable as finally submitted no specific further actions were required.

12 ASSESSMENT

12.1 The application site is a fish and chip shop within the town centre and Conservation Area. The signage which is the subject of this application has been installed. The other restaurants and shops in the immediate vicinity have a variety of signage, with most of these being non-illuminated and of a simple design.

12.2 The application is for advertisement consent and therefore the considerations are the impact on local amenity and highway safety. This application follows a previous refusal for advertisement consent for the same signs, which was refused because of the illumination of the fascia sign and the level of luminance of the hanging sign. That refusal did not raise objection to the design and use of the materials. The current proposal initially requested consent for the introduction of swan lights instead of the internal lighting for the fascia sign. However, following the comments from the Conservation Officer, amended plans were received which removed the illumination completely from the fascia sign and reduced the luminance of the hanging sign to a satisfactory level.

- 12.3 The fascia sign is fairly complex in its design and was constructed so that the illumination lit up the individual letters internally along with the central plaque. The proposal to use three spotlights over the fascia sign was considered unacceptable and was consequently removed from the proposal with the receipt of amended plans. The fascia sign is now proposed to be non-illuminated. The materials for the signage are non-traditional and the central plaque and lettering are protruding and appear bulky, however without the illumination they are considered to comply with the criteria for deemed consent under Class 5 of the Town and Country Planning (Control of Advertisements Regulations) 2007. Furthermore, as stated above, the previous refusal of advertisement consent was only for the reason of illumination. Therefore it would now be unreasonable to refuse consent for the fascia sign because of its materials and depth.
- 12.4 The proposed hanging sign which is painted wood, would be illuminated with trough lights but with a reduced level of illumination and given that a similar illuminated sign has been on site for some time, possibly from as early as 1996, it would be difficult to justify an increase in visual harm to public amenity. An amended application form and details were received to demonstrate that this illumination would be reduced in luminance to 150cd/m. The Conservation Officer has subsequently confirmed that the amended plans and details are acceptable.
- 12.5 In conclusion the fascia sign, although of materials and style which would appear inappropriate within a Conservation Area does not require consent. The hanging sign with reduced illuminance would be appropriate in this location and does not have a detrimental impact on the street scene or Conservation Area. Therefore the application is recommended for approval.
- 12.6 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.

13. 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 development permitted shall be carried out in accordance with the following approved plans: 1731-1 REv B & P0001 Rev 4.

Reason: To ensure satisfactory provision of the development.

2. The development hereby permitted, in particular the removal of the lumination of the fascia sign and the reduction of luminance to the hanging sign shall be implemented within 3 months from the date of this permission. The aforementioned signage shall therefore be retained with the approved luminesce for perpetuity unless otherwise approved by the Local Planning Authority.

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.

Notes for inclusion on certificate:

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Further Information:

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Planning Development
Control Committee
November 2017

Item No: 3b
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SU 1405

Scale 1:1250

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

