

Application Number: 18/10361 Advertisement Consent

Site: 63 HIGH STREET, LYMINGTON SO41 9ZT

Development: Display 1 non-illuminated hanging sign
(Application for Advertisement Consent)

Applicant: Scott Bailey LLP

Target Date: 04/07/2018

Extension Date: 08/08/2018

RECOMMENDATION: Grant (Advert)

Case Officer: Julie Parry

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Town Council

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area
Archaeological Site
Aerodrome Safeguarding Zone

Conservation Area: Lymington Conservation Area
Listed Building Grade: Grade II* 552.20.039

Plan Policy Designations

Primary Shopping Area
Town Centre Boundary
Landscape Feature
Built-up Area

CS20: Town, district, village and local centres

National Planning Policy Framework

Section 12 Achieving well designed places.
Section 15 Historic environment

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 - Lymington 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
18/10368 Display 1 non-illuminated hanging sign (Application for Listed Building Consent)			Decision pending
07/90614 Retention of internal partitions & doors; smoke/heat detectors; emergency lights; call points; fire panels; alterations to fireplaces (Application for Listed Building Consent)	17/09/2007	Granted Subject to Conditions	Decided
88/NFDC/37845 Display non-illuminated projecting hanging sign.	14/07/1988	Refused	Decided

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend refusal. We do not support the use of vinyl lettering on a sign attached to a Grade II listed building.

7 CONSULTEE COMMENTS

Hampshire County Council Highway Engineer: no objection (no conditions)

Historic England: no comment

Conservation Officer: no objection - the sign is small and non-illuminated and would not affect the character of this building or the setting of the others around it.

8 REPRESENTATIONS RECEIVED

One letter of objection from the Lymington Society who considers that the proposed sign would intrude upon the local amenity and deface the elevation of this Grade II Listed building.

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.

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

11 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraph 38 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.

12 ASSESSMENT

- 12.1 The property is a four storey Grade II* Listed Building within Lymington Conservation Area. It is currently used as offices and a small plaque is positioned adjacent to the door showing the corporate details. The adjoining property, number 65, displays a hanging sign on the front elevation which was granted consent in 2001 (01/71369), albeit at that time it was for a different company.
- 12.2 The application is for advertisement consent for a non-illuminated hanging sign positioned between the two windows at ground floor. Considerations are the impact on local amenity and highway safety. Given that the property is a Listed Building and within a Conservation area the Conservation Officer was consulted.
- 12.3 A previous application for a hanging sign was refused in 1988. This was a larger sign than what is currently proposed and would have been positioned higher on the building. It was considered that this sign would have conflicted with the domestic character of the building, however this use has changed given that the first floor is now used for office purposes and with the signage on number 65 the domestic character has been eroded.
- 12.4 The Conservation Officer has advised that the proposed sign is small and non illuminated. Given that the function as a dwelling has changed along with the appropriate position and limited size of the hanging sign proposed it will not adversely affect the character of this building or the setting of the others around it.
- 12.5 The materials proposed are to be timber with vinyl lettering. Whilst a sign written sign would be preferable the materials will match that of the sign on the neighbouring listed building. The vinyl letters will not be shiny and would be in an appropriate font and colour. Therefore they have no objection to the proposal.

- 12.6 The Conservation Officer has suggested that the bracket should be fixed to the mortar joints of the masonry rather than the brick where practicable to minimise the damage to the fabric of the historic building as much as possible. However safety would be a prime consideration and therefore this advice should only be followed if it ensured that the sign is secure.
- 12.7 Furthermore, the application building is used by the same company as the neighbouring building at number 65 and the hanging sign would match the existing sign on number 65 which includes the same corporate design, colour and materials. While number 65 was granted consent for a sign in 2001 this was however for a timber sign with gold vinyl lettering of a different design. The Council has not received any objections to the altered company logo/colours on this sign but to regularize this advertisement consent and listed building consent applications have been requested.
- 12.8 No objections are raised from the Highway Authority
- 12.9 Lymington and Pennington Town Council have recommended refusal as they do not support the use of vinyl lettering on a sign attached to a Grade II listed building. However in the light of the Conservation Officer's comments regarding this material, refusal on this basis is not considered to be justified.
- 12.10 In conclusion the proposed sign would be in keeping with other signs in this location. Being of a modest size constructed of timber with flat, non-shiny lettering the sign would not have a detrimental impact on either the Listed Building or Conservation Area. Therefore the application is recommended for approval.
- 12.11 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 hereby permitted shall be begun before the expiration of three years 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 submitted with the application on 9th May 2018: Block Plan; Proposed Plan

Reason: To ensure satisfactory provision of the development.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 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.

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Further Information:

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**Planning Development
Control Committee**
August 2018

Item No: 3c & 3d
63
High Street
Lymington
18/10361 & 18/10368

Scale 1:1250

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

