

Application Number: 18/10368 Listed Building Alteration

Site: 63 HIGH STREET, LYMINGTON SO41 9ZT

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

Applicant: Scott Bailey LLP

Target Date: 04/07/2018

Extension Date: 08/08/2018

RECOMMENDATION: Grant Subject to Conditions
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Case Officer: Julie Parry

1 REASON FOR COMMITTEE CONSIDERATION

Contrary view to Town Council

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area
Aerodrome Safeguarding Zone
Archaeological Site

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

Plan Policy Designations

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

CS20: Town, district, village and local centres

National Planning Policy Framework

Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the 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
18/10361: Display 1 non illuminated hanging sign (Advertisement Consent)			Awaiting decision
09/95031: Single-storey extension (Application for Listed Building Consent)	24/03/2010	Granted Subject to Conditions	Decided
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 Grade II listed building.

7 CONSULTEE COMMENTS

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

No comments received

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 Listed Building consent for a non-illuminated hanging sign positioned between the two windows at ground floor.
- 12.3 The main consideration was the impact on the Listed Building and the historic fabric and therefore the Conservation Officer was consulted.
- 12.4 A previous application for a hanging sign was refused in 1988. This would have been a larger sign than what is currently proposed and would also have been positioned higher on the building. The reason for the refusal was that the 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.
- 12.5 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.

- 12.6 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
- 12.7 The materials proposed are to be timber with vinyl lettering. While a sign written sign would be preferable, the materials would match the sign on the neighbouring listed building. The vinyl letters would not be shiny and would be in an appropriate font and colour. Therefore they have no objection to the proposal.
- 12.8 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 an advertisement consent and listed building consent applications have been requested.
- 12.9 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.
- 12.10 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 LISTED BUILDING CONSENT

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 received 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.

