ADVERTISEMENTS REPORT

DESCRIPTION	Display of 2no. non-illuminated fascia signs & 1no. flag sign
ADDRESS	Blue Star Café, Hamble Foreshore, Green Lane, Hamble-Le-Rice, Southampton, SO31 4JB

SITE VISIT DATE 10 February 2016

ARE PLANS ACCURATE? It is considered that sufficient information has been provided to allow for the assessment of the development proposed.

HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED? Yes

THE SITE AND ITS SURROUNDINGS

DESCRIPTION OF APPLICATION	The application seeks approval for the display of a total of three non-illuminated advertisements. These being: a fascia sign of 1.935m in length and 0.403m in height to be sited above the service hatch on the building's northern side; a larger fascia sign of 2m in length and 1.25m in height on the water front side of the premises in place of the current signage; and, a flag sign (2m x 1.225m) to be displayed on the flag pole to the north eastern corner of the café. The application is a resubmission following the refusal of application A/15/77411 in December 2015.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	No residential development is proposed.
TOPOGRAPHY	The parcel of land where the building is sited is relatively flat and level. The ground then falls away from its eastern elevation down towards the water.
TREES	None affected.
BOUNDARY TREATMENT	The site is open onto the waterfront to its eastern side, as well as onto the car parking / boat storage area to the west.
SITE CHARACTERISTICS	The application premises is a detached one and two storey commercial building occupied by the Blue Star Café. The building has a mixture of brick, block and cladding to its external elevations, with brown fenestration. The existing adverts currently consist of fascia signage to the eastern side of the building.
CHARACTER OF LOCALITY	The building is situated on the waterfront of the Hamble River and falls within Hamble Conservation Area. There are areas of car parking and boat storage surrounding the building with the Hamble Lifeboat Station to its north-western side.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
C/06/57132	Erection of 1 and 2 storey kiosk/café with roof terrace, following demolition of existing kiosk	PERMIT – 01/05/2007

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
A/15/77441	Display of 2no. non-illuminated fascia signs, 1no. illuminated neon sign and 1no. flag	REFUSE – 21/12/2015

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
Ferryside Cottage, Green Lane, Hamble	The occupier of Ferryside Cottage made the following comments in relation to the proposals: I think the signage should be kept to a minimum in a conservation area and next to listed buildings. Signage has previously existed but was removed when the café was closed. I believe it would be nice to keep it that way especially for a conservation area and a nice looking Hamble foreshore. Sign 1 should fit above the window on the wall. The drawing makes it look like it is attached to the roof line / gutter. Sign 2 I believe should be removed when the café is closed for the village appearance from the river and the other side. The proposed flag sign is I think too big and should be a maximum of 1m instead of its proposed 2m. Also the flag should be taken down when the café is closed because flags can be a noise nuisance in windy conditions.
Shingle Quay, Green Lane, Hamble	The occupiers of Shingle Quay raised an objection to the application in so far as it relates to the proposed flag. Given the alterations to the windows to include the name of the café and the proposed signs on the river and north sides of the building, we feel the property has plenty of advertising; it is not in competition with any other business on the foreshore. The flag will add nothing and should not be permitted at all in view of the other advertising. We accept that the old Blue Star Café always had a flag on the flag pole but that was very much smaller than the proposed flag and there was very little other advertising. The larger flag will be more intrusive on the river scene and will make more noise when it is windy and will have absolutely no advertising value when it is not windy. The new flag is also bigger than the present flagpole warrants. This is within the conservation area but following the building of the present café and, more recently, the new life boat station, the foreshore is getting more cluttered all the time.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hamble Parish Council	The Parish Council confirmed that they are content for the decision to be made by a Planning Officer via delegated powers.

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Within Designated Conservation Area (Hamble) Outside Built Up Area Boundary Within Designated River Corridor Within Flood Zones 2 and 3

DEVELOPMENT PLAN SAVED POLICIES EMERGING LOCAL PLAN POLICIES AND SPD'S

Eastleigh Borough Local Plan Review (2001-2011), Saved Policy 172.LB.
Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014, (the Submitted Local Plan) comprising: Revised Pre-submission Eastleigh Borough Local Plan 2011 - 2029, published February 2014; and Schedule of Proposed Minor Changes, submitted to the Secretary of State in July 2014. Policy DM1, DM10.

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to the impact of the proposed signage on the visual amenity of the area, as well as both public and highway safety.

COMMENT ON CONSULTATION RESPONSES

The comments of Hamble Parish Council are noted.

COMMENT ON REPRESENTATIONS RECEIVED

The comments received are noted with the matters raised being covered in the below assessment of the proposals.

PLANNING OBLIGATION/CONSIDERATIONS

There are no planning obligations requirements associated with this application.

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Legislative Provisions:

Regulation 3 (1)(2)(3) (as amended) of the Town and Country Planning (Control of Advertisement) Regulations 2007 states:-

"A local planning authority shall exercise their powers under these Regulations only in the interests of amenity and public safety, taking account of any material factors, and in particular:

(a) In the case of amenity, the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest, disregarding, if they think fit, any advertisement being displayed there;

(a) In the case of public safety:
(i) The safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome;
(i) Whether any display of advertisements is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air.

In determining an application for consent for the display of advertisements, or considering whether to make an order revoking or modifying a consent, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is required or granted."

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Other Material Considerations:

National Planning Policy Guidance:

Paragraph 67 of the National Planning Policy Framework stipulates that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment and that outdoor advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Local Plan Policies:

Eastleigh Borough Local Plan Review (2001-2011) - Saved Policy 172.LB relates applications for advertisements and fascia signs in conservation areas and states that these will only be permitted where they meet the following criteria: (i) the proliferation of signs will be discouraged and signs will be restricted to the ground floor wall area; (ii) fascias and advertisements should be designed as an integral part of the shop front and be in-keeping with the surrounding area; (iii) illuminated signs will not be permitted. Where consent is given in exceptional circumstances, the sign should take the form of spot and halo lighting or rear illumination cut out lettering; (iv.) the Borough Council will only accept 'corporate image' advertising where it is not detrimental to the character of the building and surrounding area; and, (v.) consent will only be granted for advertisement hoardings, if it can be demonstrated to the satisfaction of the Borough Council, that no harm to amenity or public safety will be caused.

Assessment of the Proposal:

Impact on Amenity and Character of the Area:

The application is a resubmission following the refusal of application A/15/77441 in December 2015. That submission had, in addition to the fascia sign on the water side elevation of the building and the flag sign, sought consent for a neon illuminated sign above the service hatch on the building's northern elevation, as well as a fascia sign sited at first floor level on this same side. That application was refused on the grounds of a harmful impact perceived upon the amenity and character of the conservation area, largely resulting from the illuminated neon and non-illuminated upper floor signage, as well as the number of signs overall.

The applicant has sought to address these issues by way of the removal of the illuminated advertisement and the upper floor fascia sign on the northern elevation of the building and their replacement with a much more modest non-illuminated fascia to be positioned above the service hatch on this side of the premises. The flag sign, as well as the fascia sign to be positioned on the water side of the building are to remain. It is considered that these changes serve to address the previous concerns to an acceptable degree such as to not unduly affect the character of this section of the Hamble Conservation Area. The signs are now more appropriate in number, siting, design, luminance (being non-illuminated), and size, albeit in the latter regard acknowledging that the flag sign is relatively large and perhaps on the limit of what would be acceptable on such a prominent site within a Conservation Area. In respect of the comment made by the occupier of Ferryside Cottage concerning the removal of the signs when the café is closed, whilst this is acknowledged, it is not considered that it would be reasonable to impose such a restriction, nor would a condition to this effect be suitably enforceable.

Public and Highway Safety:

ASSESSMENT OF PROPOSAL

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

It is not considered that the proposed advertisements will have any detrimental impact on either public or highway safety. The signage is all non-illuminated, and is appropriate in size, siting and colouring such that it will not be distracting to users of the public highway or the adjacent waterway, nor will it impinge upon the safe movement of vehicles, pedestrians or boats in the immediate vicinity of the site. For these reasons, there is deemed to be no conflict with the relevant local or national planning policies, or applicable legislative provisions.

Conclusion:

Overall, for the reasons stated above, the proposals are considered to comply with the above specified development plan policies, national planning policy guidance and legislation.

OTHER MATERIAL CONSIDERATIONS

Reference needs to be made the Submitted Eastleigh Borough Local Plan 2011 - 2029, July 2014. However very little weight can be given to these policies as, although the Submission Local Plan has not been withdrawn the Council has confirmed that it has decided to prepare a new local plan which will cover the period up to 2036. With regards to this application, the new policies essentially echo those of the current plan and are not considered to affect the recommendation put forward.

CONCLUSIONS

It is recommended that advertisement consent be granted.