

## DELEGATED OFFICER REPORT

**Application Ref:** A/24/96899 & L/24/96898 (Combined Report)

**Site Address:** The George, 492 Fair Oak Road, Fair Oak, Eastleigh, SO50 7AN

**Case Officer:** David Huckfield

### Description:

A/24/96899 - Display of 1no. externally illuminated hanging sign, 3no. externally illuminated letter signs, 3no. externally illuminated amenity board signs, 2no. externally illuminated chalkboard signs, 1no. non-illuminated signwritten logo sign, 7no. LED floodlights, and 4no. up and down lights

L/24/96898 - Listed Building Consent: Display of illuminated and non-illuminated signage, installation of 7no. floodlights and 4no. up and down lights, and repainting of exterior of building.

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| <b>Particular Site Constraints?</b>                                                                                                                                                                                                                                                                                                        | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Within Urban Edge<br>Existing Public House<br>Grade II Listed Building – The Old George Public House, List Entry Number 1111946:<br><br><i>Early C19. 2 storeys, 3 windows. Hipped slate roof. Painted brickwork (Flemish bond). Sashes in reveals (north side, 2 storeyed bay). Low rear extension with outshots, with red tile roof.</i> |                                                |                                    |

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| <b>Planning History?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Z/27961/000/00 – Alterations and extension – Withdrawn (1984)<br>L/27961/000 – Alterations and extension – Withdrawn (1984)<br>L/27961/001 – Alterations and extension – Granted (1985)<br>L/27961/002 – Demolition of garage at rear – Granted (1996)<br>F/13/72046 – New fire escape door following removal of existing window – Permit (2013)<br>L/13/72047 – Listed building consent: New fire escape door following removal of existing window – Granted (2013)<br>A/20/88387 – Consent to display 1no. illuminated double-sided hanging sign; 3no. sets of illuminated lettering; 2no. signwritten portraits; 3no. amenity boards; 2no. up/down lights and 5no. LED floodlights – Consented (2020)<br>L/20/88393 – Listed building consent to display 1no. illuminated double-sided hanging sign; 3no. sets of illuminated lettering; 2no. signwritten portraits; 3no. amenity boards; 2no. up/down lights and 5no. LED floodlights – Granted (2020) |                                                |                                    |

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| <b>Site Visit?</b>                                                                    | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| A site visit was undertaken by the Case Officer to consider the proposals in context. |                                                |                                    |

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|-------------------------------------------|--------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------|
| <b>Publicity:</b>                         | <b>Letters</b> <input checked="" type="checkbox"/>                             | <b>Site Notice</b> <input checked="" type="checkbox"/> | <b>Newspaper</b> <input checked="" type="checkbox"/> |
| Representations:                          | None received.                                                                 |                                                        |                                                      |
| Fair Oak and Horton Heath Parish Council: | No objection. Request that signs are not illuminated all night but turned off. |                                                        |                                                      |

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| Heritage Consultant: | <p><u>Context</u></p> <p>Standing on the corner of the original road junction at the very centre of Fair Oak, this building is probably the most prominent one in the village. In its previous format it was quite low key painted in a single colour with name boards to indicate its function.</p> <p>One wonders why this building is to be repainted again so soon as it was only four years ago it was last done which enhanced it no end, but it would appear to have changed hands, so a slight rebrand and refresh is evidently in order and will do no harm. Unlike the previous time at least this application is preceding the work!</p> <p><u>The Proposal</u></p> <p>The two-tier colour scheme with revised bold graphics on either end to face oncoming traffic, enliven the building no end and therefore raise the tone of the immediate area. As this building stands on the corner of a road junction, close to the busy main road, dirt build-up from the traffic will remain a problem, so using a slightly darker and warmer shade than at present will help mask this better and improve an attractive frontage.</p> <p><u>Conclusion</u></p> <p>This refresh of the exterior with new signage, revised graphics and lighting will enhance the buildings offer, subtly indicating a change of ownership and increasing its attractiveness to hopefully bolster trade, which can only be good for the health of this heritage asset. No objection.</p> |
| HCC Highways:        | <p>No objection from a highway perspective. All lighting sources are located on the building itself and it is noted that light beams head towards the building (as opposed to away from the building which could be towards the highway), and the candelas proposed is 200Cd/M which falls within guidance limits. Condition recommended to control illumination.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

#### **Relevant Policy and Legislation:**

##### **Legislative Background:**

##### Advertisement Consent:

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

*(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—*

- (a) the provisions of the development plan, so far as they are material; and*
- (b) any other relevant factors.*

*(2) Without prejudice to the generality of paragraph (1)(b)—*

*(a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;*

*(b) factors relevant to public safety include—*

*(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);*

*(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;*

*(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.*

*(3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.*

*(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.*

Regulation 4 states:

*(3) In determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.*

#### Listed Building Consent:

Section 16(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

*"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

#### **The Development Plan:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan comprises the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering Sustainable Development), S8 (Historic Environment), DM1 (General Criteria for New Development), DM12 (Heritage Assets), DM13 (General Development Criteria – Transport).

#### **National Planning Policy and Guidance:**

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and as set out within paragraph 224; the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication.

Of particular relevance to this application are Paragraph 141 of the NPPF which relates to the display of advertisements, as well as Section 16 'Conserving and enhancing the historic environment'.

The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

**Assessment:**

The proposals incorporate the provision of a total of 10no. advertisements which are to be displayed on the south, east and northern sides of the application building. 4no. up and down lights are also proposed which will sit alongside the respective northern and eastern entrances to the premises, as well as 7no. floodlights to be sited under the eaves, with these serving the purpose of illuminating the building's public elevations as well as some of the individual advertisements. The proposals also incorporate the repainting of the exterior of the building with the upper storey to be 'piano white' in colour and the lower storey to be 'mauve mist' which is described by the manufacturer (Dulux Heritage) to be a deep grey/brown colour with a touch of lavender.

In terms of the application for advertisement consent, the Advertisement Regulations require that local planning authorities exercise their powers in respect of the control of advertisement only in the interests of amenity and public safety. Whilst amenity is not exhaustively defined in the Regulations, the Planning Practice Guidance (Paragraph 079 Reference ID: 18b-079-20140306) provides additional context in this respect and sets out that it is a matter of interpretation by the local planning authority as it applies in any particular case but in practice "amenity" is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood.

In this respect, the mixture of illuminated and non-illuminated signage proposed is considered to be acceptable. The chalkboard, amenity board and hanging signs are substantively a like-for-like replacement for the existing in terms of position and scale, with the letter signs replacing and updating those in a similar position on the building's north, east and southern sides. The sign written logo to be positioned adjacent to the building's northern entrance is appropriate in size and siting and will serve to add visual interest to this side of the premises. The level of lighting proposed is also not excessive and will not unduly undermine the amenity of the area or that of neighbouring residents and uses. Whilst the comments of the Parish Council are noted in terms of requiring the lighting to be turned off at certain times, as there is currently no such restriction imposed on the premises and the lighting will substantively be a direct replacement for the existing floodlights and up and down lights, it is not considered that it would be reasonable to impose such a condition.

With regards to public and highway safety, the signage will not interfere with the use of the footway alongside the building with the hanging sign positioned at a sufficient height to allow pedestrians to pass underneath safely and the other signs having minimal or no projection from the building's facades. The proposed lighting will also be directed towards the building and is appropriate in terms of its levels of luminance such as to not be distracting to drivers travelling along the adjacent public highway. No objection has been raised by the Highway Authority and the condition to restrict levels of luminance will be imposed accordingly.

As the building is Grade II Listed, listed building consent is also required for the lighting, advertisements and repainting works. Taking account of the factors set out above regarding the appropriate siting, scale and level of the advertisements, as well as the comments of the Council's Heritage Consultant, the proposals are considered to be acceptable from a heritage perspective. They will serve to uplift the external appearance of the listed building and appropriately respect its setting and special character in line with the relevant statutory provisions and local and national planning policy requirements.

## Conclusion

Overall, the proposed works are considered to achieve an acceptable balance between drawing attention to the building's function as a public house without overdominating its public elevations or detracting from the character of the street scene on what is a particularly prominent location at the junction of Fair Oak Road and Botley Road. The works will also not undermine public or highway safety and will appropriately preserve the character of the listed building and its setting. The applications are therefore considered to accord with the relevant legislative and planning policy provisions and it is recommended that both advertisement and listed building consent be granted.

Recommendation:

**GRANT LISTED BUILDING  
CONSENT AND CONSENT TO  
ADVERT DISPLAY ☒**

**REFUSE ☐**