

**Application No: 17/00564/ADV Advertisement Consent**

**Site:** Enzee Ristorante, Station Approach, Brockenhurst, SO42 7TW

**Proposal:** Installation of 1No. non illuminated panel sign; 4No. non illuminated window graphic signs (Application for Advertisement Consent)

**Applicant:** Mr E Piscopo, Enzee Ristorante

**Case Officer:** Daniel Pape

**Parish:** BROCKENHURST

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

No specific designation

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP1 General Development Principles  
DP6 Design Principles  
CP6 Pollution  
CP8 Local Distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 7 - Requiring good design

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Object: although the Council has no issue with the window signs, concerned that placement of signs at the level crossing could distract drivers and have a resultant negative impact on road safety. Further concerned that a precedent should not be set regarding advertising of other businesses in the area.

## **8. CONSULTEEES**

- 8.1 Highway Authority (HCC): None of the proposals would have an adverse effect on the safety or convenience of users of the highway.

Recommendation: No objection (no conditions)

## **9. REPRESENTATIONS**

- 9.1 Correspondence regarding the location and clarity of the sign, but observing that a sign placed at the end of the road would seem to have its reasons.

## **10. RELEVANT HISTORY**

- 10.1 None.

## **11. ASSESSMENT**

- 11.1 Enzee Ristorante is located adjacent to Brockenhurst Railway Station. Customers visiting in vehicles are required to turn off the A337 near the railway crossing, utilising an access shared with the Railway Station. The restaurant is not visible from the main road.
- 11.2 The applicant seeks permission for advertisement consent to install 1no. non illuminated panel sign on the chain link fencing at the level crossing and 4no. non illuminated window graphic signs on fenestration facing the access road. The panel sign is to be predominantly dark blue, measuring 1.4m x 0.6m.
- 11.3 The applicant has received previous correspondence in October 2016 from the Authority's Enforcement Officer regarding the installation of a panel sign. A previous sign of similar design had been located on the chain link fence. When the matter was brought to the Enforcement Officer's attention, the applicant was advised that the installation of the previous sign was unlawful. The applicant took the onus on themselves to remove the sign and apply for advertisement consent.
- 11.4 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors. Unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public morals.

- 11.5 The two main issues to consider in respect of this application are the impact upon the amenity of the area/character of the National Park, and the safety implications to users of the highway.
- 11.6 Taking these in turn, it is deemed that the amenity of the area would not be affected, nor the character of the National Park. The design of the sign is to be modest and non-illuminated. The location chosen for the panel sign, on the chain link fence of the level crossing, is an appropriate location within the village. The proposed sign's location would be surrounded by features including a hazard sign for the railway crossing, a level crossing light and a station name pole. The installation of a panel sign in this location would not contribute to increased visual harm. The window signs on the restaurant are acceptable, low key and simple in design, and would also not detract from the area's amenity.
- 11.7 The Parish Council have recommended refusal for the application on the grounds of highway safety and that the sign could create a precedent for the advertising of other businesses.
- 11.8 Hampshire County Council's Highway Department have raised no objection to the proposals, stating that none of the proposals would have an adverse effect on the safety or convenience of users of the highway. The Authority concurs with this view.
- 11.9 The Parish Council has raised concern that the installation of the panel sign may set a precedent, however, each application for advertisement consent would be considered on its own merits in relation to regulation 3 considerations.
- 11.10 It is of note that the applicant has been in contact with Network Rail who have no objections to the restaurant placing a sign on their property.
- 11.11 In conclusion, the proposed advertisements accord with regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and consent is recommended subject to condition.

## **12. RECOMMENDATION**

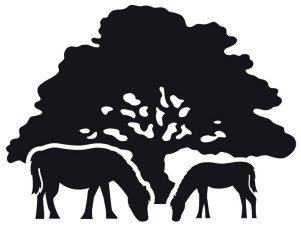
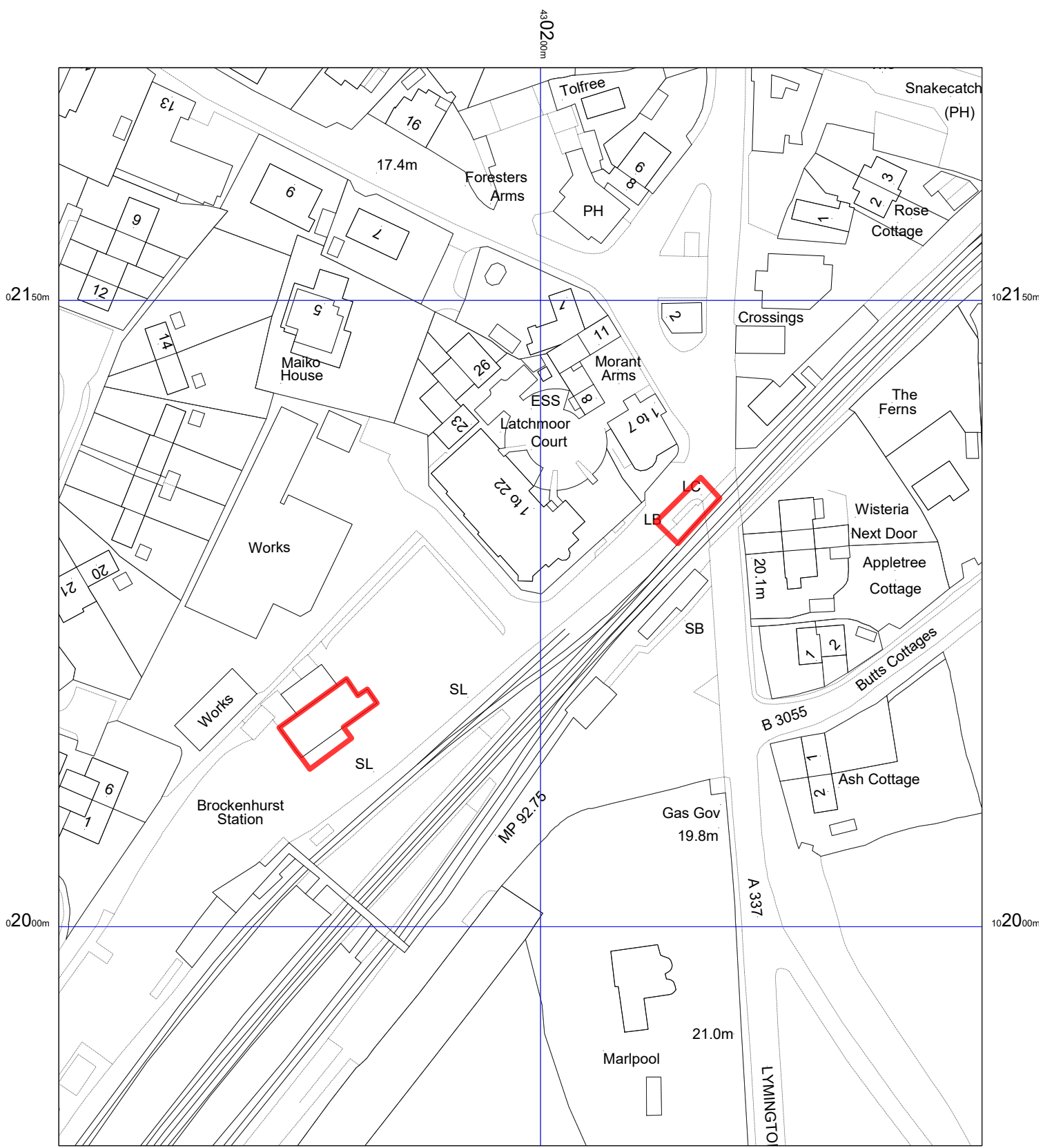
Grant Subject to Conditions

### **Condition(s)**

1. Any advertisement 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, and 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 or aerodrome (civil or military).



**NEW FOREST  
NATIONAL PARK**

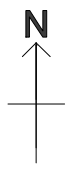
New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 05/10/2017

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**Scale: 1:1250**



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