

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Winchester City
Council
Planning Department
Development Control

TEAM MANAGER
SIGN OFF SHEET

Committee Decision

Case No:	08/01715/AVC	Valid Date	6 August 2008
W No:	01367/34A	Recommendation Date	3 October 2008
Case Officer:	Mrs Jane Rarok	8 Week Date	1 October 2008
		Committee date	
Recommendation:	Application Permitted	Decision:	Committee Decision

Proposal: 1 no. advertising banner at entrance and 1 at exit of The Winchester Hotel

Site: The Winchester Moat House Hotel Ltd Worthy Lane Winchester Hampshire SO23 7AB

Open Space Y/N	Legal Agreement	S.O.S	Objections	EIA Development	Monitoring Code	Previous Developed Land
No	No	No	Yes	No	Y/N	Y/N

DELEGATED ITEM SIGN OFF		
APPROVE Subject to the condition(s) listed	REFUSE for the reason(s) listed	
	Signature	Date
CASE OFFICER		
TEAM MANAGER		

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Item No: 5
Case No: 08/01715/AVC / W01367/34A
Proposal Description: 1 no. advertising banner at entrance and 1 at exit of The Winchester Hotel
Address: The Winchester Moat House Hotel Ltd Worthy Lane Winchester Hampshire SO23 7AB
Parish/Ward: Winchester Town
Applicants Name: Mr Paul Eaves
Case Officer: Mrs Jane Rarok
Date Valid: 6 August 2008
Site Factors:

Within 50m of Listed Building
Conservation Area

Recommendation: Application Permitted

General Comments

This application is reported to Committee because the proposal affects Council owned land and has attracted two letters of objection.

Site Description

The Winchester Moat House Hotel is located in the north of the City along Worthy Lane and behind a coach station and public car park owned by the City Council. The site boundary lies directly adjacent to the City's Conservation Area, which is contained on the opposite side of the highway. There is residential development to the north, east and west of the site with the former 'cattle market', Bowls and Conservative Club to the south. The entire site is generally well screened from the public realm by mature trees. This coupled with its position set back from the highway, renders it barely visible from Worthy Lane. The application relates to a boundary fence fronting the public car and coach park. This boundary comprises a close boarded fence above a brick retaining wall. The fence is approximately 95m long fronting Worthy Lane. This fence is covered in ivy and there are a number of mature trees directly behind it.

Proposal

The proposal is for two banner signs. The PVC signs would be 1m high by 4m long and would be secured to the fence using plastic ties through a series of eight brass rimmed eyelets. One banner would be secured at the southern entrance to the hotel and car park, the other at the northern exit. It is proposed that the size and position of the banners will remain constant but the content of the advert would change to reflect different promotions or seasonal events being promoted at the hotel. The hotel has been displaying banner signs at these locations for over 2 years.

Relevant Planning History

7/00852/AVC 2 no. externally illuminated box signs to replace existing [AMENDED DESCRIPTION] – permitted 25.05.2007.

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Consultations

Enforcement:

Application invited to regularise unauthorised display of advertisement.

Engineers: Highways:

The banners would not interfere with the visibility splays and are not considered a major distraction. No significant highway issues, and therefore unlikely to impact on highway safety.

WCC Estates:

No objection in principle. A fee should be negotiated for allowing use of this land.

WCC Parking:

No objection provided the signs are maintained in good order, do not obstructed sightlines or the public highway.

Representations:

City of Winchester Trust: Object

Information submitted in support of the application is confusing, inadequate details about the contents of the banners. Banner at entrance to the public car park (and hotel) would add clutter and concerns about the colours used in the signage. Are these signs essential? At 1m high and 4m long the banners would be very intrusive in the street scene and would detract from the buildings on the opposite side of the road, which is within the Conservation Area.

1 letters received objecting to the application for the following reasons:

- The proximity of the adverts to the highway could represent a visual distraction to highway users;
- Displaying adverts on Council owned land would represent an “unhealthy” precedent;
- Detrimental impact on the visual amenity of Worthy Lane and the Conservation Area;
- Approving these signs would set a precedent for banners signs in the District.

Reasons aside not material to planning and therefore not addressed in this report

- The application is retrospective as the signs have been displayed without the benefit of advertisement consent.
- Issues of copyright relating to the images depicted and trading identity.

Relevant Planning Policy:

Hampshire County Structure Plan Review:

None.

Winchester District Local Plan Review

HE11

National Planning Policy Guidance/Statements:

PPG 19 Outdoor advertisement control

Supplementary Planning Guidance

SPG Design guidance for the control of shopfront and signs

Planning Considerations

Principle of the proposal

The principle of this proposal is acceptable and accords with national and local plan policy. In assessing applications for the display of advertisements, the local planning authority can only have regard to amenity and public safety. The Council is satisfied that the banner signs would not compromise public safety. The Highway Engineer has raised no objections.

In terms of the visual amenity, the character of the surrounding area is mixed commercial, utility and residential. The two banner signs, one at the entrance to the car park and one at its exit, are not seen in conjunction with each other. The Council considers that the scale of the banners is

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appropriate to their surroundings and that they are not obtrusive or incongruous in the surrounding area. Their appearance will be softened by the vegetation on the fence and the band of trees behind it.

The Winchester Moat House Hotel is a commercial enterprise and it is considered that it is not unreasonable that it would wish to advertise forthcoming events in this manner, particularly given the rather secluded position of the hotel itself.

Impact on character of area

The hotel is accessed via a Council owned public car and coach park with residential development to the north and east of the site. Notwithstanding the residential development surrounding the site, and the conservation area to the east, the immediate character of this site is commercial. The southern entrance does contain a number of signs, including highways information and directional signs relating to the car park, and a 'welcome' sign. The Council does not consider that the addition of the banner signs in this location would result in unacceptable visual clutter. Nor does it consider, either individually or collectively, that the presence of these signs would have a materially detrimental impact on the visual amenity of the surrounding area.

Other Matters

This proposal is for the display of two PVC banners. Information from the Council's Enforcement Department suggests that the banners have been displayed intermittently for the past 2 years. It is proposed that the banners position, size and PVC fabric will remain constant under the terms of this consent, but that the subject matter would change to reflect particularly promotions or seasonal events.

The Council can seek to control certain elements of the signage such as letter and symbol font size. Given the size of the banner it is considered acceptable that no symbol or letter shall exceed 400mm, being less than 50% of the overall height of the banners, unless otherwise agreed. However, advertisement legislation does not allow local planning authorities to control the subject matter of signs and advertisements.

City of Winchester Trust has objected to the scheme on the basis that the display of these signs would lead to a cluttered entrance, their size would be intrusive in the street scene and the overall effect would detract from the buildings on the opposite side of Worthy Lane which is a conservation area. However, the Council considers that the banners sit comfortably on the fence and are appropriate in scale. Their position at the entrance and exit to the car park means that the signs are not simultaneously visible and they are not incongruous in the immediate area given the activities on this site.

In terms of whether these signs are essential, advice in PPG19 (Outdoor Advertisements) clarifies this position by stating that "it is accepted thatanyone proposing to display an advertisement "needs" that advertisement in that particular location, whether for commercial or other reasons." (para 9 PPG19).

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Recommendation

Application Permitted subject to the following condition(s):

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.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

2 Any structure or hoarding erected or used principally for the purpose of display of advertisements shall be maintained in a safe condition.

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

3 Where an advertisement is required, under the Control of Advertisement Act 2007, to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: As required by the provisions of the Control of Advertisement Act 2007.

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.

Reason: 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 otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

Reason: As required by the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992.

6 No character or symbol on the banner signs shall be more than 400mm in height, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of public amenity.

Informatives:

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

The Local Planning Authority has taken account of the following development plan policies and proposals:-

Hampshire County Structure Plan Review: None.
Winchester District Local Plan Review 2006: HE11

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