



Appeal Decision

Site visit made on 18 July 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2024

Appeal Ref: APP/B1740/Z/24/3343095

Knights Lodge, North Close, Lymington, SO41 9PB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Churchill Retirement Living against the decision of New Forest District Council.
 - The application Ref is 24/10025.
 - The advertisement proposed was described as '*Retrospective Advertisement Consent for Signage*'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application relates to signage that was part of an advertisement consent, Ref 21/10243 dated 26 April 2021, for what was described as '*Retention of sales signage*'. At the time of my visit the signage subject to this appeal remained in situ.

Main Issue

3. The Council has raised no concern regarding the effect of the signage on public safety. I have no reason to disagree. The main issue therefore is the effect of the signage on the amenity of the area.

Reasons

4. The appeal relates to a part two, part three-storey development of forty-one retirement living apartments. These are set behind a shallow frontage that is bound to the back edge of the pavement by a low brick wall and railings, with hedgerow behind. The signage comprises a mix of displays ranging from a "monolith" double-sided sign, flag signs, railing banners and board signs, all associated with the marketing of the properties. These are all spread along the frontage of the development, which extends to the east side of North Close for a distance of around 70m in my estimate.
5. North Close is residential in character along this particular stretch. Knights Lodge and its associated landscaped grounds appeared to me as a well-established part of the street scene, even to the degree where I saw parts of the building's fabric were displaying some obvious signs of weathering, and the

planting was mature. To my mind the array of advertisements bear no relation to the residential context of their surroundings, appearing cluttered within the tight confines of the street scene to this side of North Close, and out of keeping with the wider character and appearance of the area. In addition, given the close proximity of those that are free-standing to the front face of the building, their presence is likely to appear alien and intrusive in the outlook from the habitable spaces within the adjacent apartments.

6. I am mindful that the Council has previously sanctioned such advertisements, but this was for a temporary period and within a street scene that was undergoing change at that time. Time has moved on and the development has now firmly embedded itself into its residential setting. Past circumstances do not justify the visual harm that is imparted by the continued presence of advertisements that are unsympathetic to their surroundings.
7. The appellants have argued that, instead of the existing advertisements, sales of those remaining apartments would need to be advertised by individual estate agent's boards. I have no way of comparing this scenario with the present arrangement of displays. In any event, estate agent's boards are an inevitable consequence of property sales at any time.
8. The site is a short distance north of the Lymington Conservation Area, which includes part of the southern stretch of North Close and which expands further in this direction away from the appeal site. The visual impact of the advertisements is contained to the enclosed setting of North Close around Knights Lodge. I am not persuaded that the advertisements directly impact upon the setting of the nearby Lymington Conservation Area but this does not alter my findings as far as they relate to the impact of the advertisements upon the visual amenity of the immediate locality.
9. I have taken into account Policy ENV3 of the New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy which seeks to protect character and identity of a locality and so is material in this case. Given I have concluded that the advertisements harm amenity, the proposal conflicts with this policy. For these same reasons there would be conflict with Paragraph 141 of the National Planning Policy Framework as far as it seeks to control advertisements that are poorly sited and designed, having regard to its objectives for achieving well-designed and beautiful places.

Conclusion

10. Based upon the harm that I have identified to the amenity of the area, the appeal is dismissed.

John D Allan

INSPECTOR