

DELEGATED OFFICER REPORT:**Application Ref:** A/22/94130**Site Address:** 44b MARKET STREET, EASTLEIGH, SO50 5RA**Case Officer:** Clare Martin**Description:** Retrospective consent to display 1no. fascia sign, 1no. vinyl door graphic and 2no. vinyl window stickers

Particular Site Constraints?	Yes ☒	No ☐
Within Urban Edge Within Eastleigh Town Centre		

Planning History?	Yes ☒	No ☐
- F/22/93287 - Change of use from Class E to sui generis tattoo and piercing studio – Permitted (September 2022). - A/12268/002 - Illuminated box sign – Consent (Jan 1976).		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None		
Town Council:	<u>No Response</u>		
Highways Officer:	<u>No Objection</u> – The signage is non illuminated and does not project over the public highway.		

Site Visit:	Yes ☒	No ☐
Details:		

Pre-commencement Conditions:	Yes ☐	No ☒
Details:		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:- <i>"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."</i> Regulation 3 (1)(2)(3) (as amended) of the Town and Country Planning (Control of Advertisement) Regulations 2007 states:- <i>"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:</i> <i>(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;</i> <i>(b) In the case of public safety:</i> <i>(i) The safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome;</i>

(ii) 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.

Policy:

**National Planning Policy Framework
Planning Practice Guidance**

Development Plan:

The Eastleigh Borough Local Plan 2016-2036 The most relevant policies are Strategic policies S1; and Development Management policies DM1 & DM12.

Assessment:

Visual Amenity

The proposal is to retain the existing non illuminated fascia sign, which has replaced a similar sized fascia sign for the previous business (a phone shop). The existing fascia sign and new windows graphics to be installed are appropriate for the use of the tattoo parlour and are in proportion to the building.

The style and colours of the signage matches that on the neighbouring commercial premise (a barbers) bringing uniformity to the pair of buildings. It is considered that the signage will blend in with the range of different size and colour signs present on buildings within Eastleigh Town Centre.

Public Safety

The proposed signage is not illuminated and does not project over the public highway. No objection has been raised by the highway officer and the proposal is not considered to pose a public safety risk.

Equalities Act:

Section 149 of the Equalities Act 2010 created the public sector equality duty.

Section 149 (1) states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

It is considered that this application does not raise any equality implications.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and emerging plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and emerging plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the Emerging Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the Adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved, Policies S1, DM2 and DM3 of the Adopted Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Conclusion:		
Recommendation:	CONSENT ☒	REFUSE ☐
Comments ...		