

DELEGATED OFFICER REPORT

Application Ref: A/23/95448

Site Address: MKM Building Supplies Eastleigh Ltd, Unit 5, Woodside Park, Woodside Road, Eastleigh, SO50 4DP

Case Officer: Rachael Morris

Description: Illuminated and non illuminated fascia signs. Totem sign with top section illuminated only. (Retrospective application)

Particular Site Constraints?	Yes ☒	No ☐
- Flood Zone 2 10m consultation buffer for National Rail land - Existing employment sites - Within the urban edge		

Planning History?	Yes ☒	No ☐
- F/21/91183 - Erection of a building for flexible industrial use (Use Classes B2 and B8) and erection of a building for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use) – Permit – Feb 2022 - DC/22/92905 - Discharge of condition 3 (construction environment management plan) of planning permission F/21/91183 – Discharged – Apr 2023 - X/23/94844 - Variation to condition 27 (hours of operation) of planning permission F/21/91183 for erection of a building for flexible industrial use (Use Classes B2 and B8) and erection of a building for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use) – Permit – Jul 2023 - DC/22/93188 - Discharge of conditions 4 (method statement), 5 (remediation measures) and 6 (remediation works implemented) of planning permission F/21/91183 – Not yet determined - X/23/95488 - Variation of Conditions 1, 15, 16, 17, 18, 19, 21, 22, 28 and 29 of F/21/91183 for the Erection of a building for flexible industrial use (Use Classes B2 and B8) and erection of a building for builders' merchant and external storage, including storage, distribution and ancillary trade counter (Sui Generis Use) – Not yet determined		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	17 Meadow Grove. Objection. Excessive light from signage is glaring. Safety implications. Cycle route passes across frontage with a increase in trade traffic expected into/out of new builders merchants. Risk of highway RTC's involving injury. High footfall of children walking/cycling to/from the Crescent school. Already a busy primary route. Light levels from LED's excessive need to be lowered. Highway safety implications. Another example of light pollution.		
Parish Council:	No Comment.		
Hampshire Highways:	The fascia signs are acceptable, and the Totem Pole is in a position set back a minimum of 2.4m from the adjacent pedestrian / cycleway, and in excess of this to the carriageway edge. As such, required visibility splays are maintained and there is no objection to the proposals from a highway perspective.		
National Rail:	No Objection.		

Site Visit:	Yes ☒	No ☐
Details: 11/08/2023		

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 S2; and Development Management policies DM1, DM11 and DM14.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Character Area Appraisals.

Legislation:

Regulation 3 (1)(2)(3) (as amended) of the Town and Country Planning (Control of Advertisement) Regulations 2007 states:-

"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:

- 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;
- In the case of public safety: The safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome;

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. In determining an application for consent for the display of advertisements or considering whether to make an order revoking or modifying a consent, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is required or granted."

Assessment:

The development is considered acceptable and complies with policies DM1, DM11 and DM14 from the 2016-2036 local plan, in that:

Principle

- The development is within the urban edge where the principle of development is acceptable.
- Policy DM1, states that all new development should not have an unacceptable impact on, and where possible should enhance residential amenities of both new and existing residents, the character and appearance of urban areas, the countryside, and the coast. In addition, it should take full and proper account of the context of the site including the character, appearance and land uses of the locality or neighbourhood, and be compatible with adjoining uses and be well integrated with these in terms of mass, scale, materials, layout, density, design and siting, both in itself and in relation to adjoining buildings, spaces and views.

Design and layout

- The development would not be an overdevelopment of the site, and parking standards remain unchanged.
- The development accords with guidance set out in the 'Quality Places' SPD in that there will be no unacceptable impact on the amenity of the neighbouring properties in terms of loss of privacy, light or outlook.
- The design and layout respect the character and appearance of the locality. The proposal sits within an industrial estate where industrial units and associated advertisements are commonly seen.

- It is considered these advertisements do not represent a proliferation of signs, will not pose a distraction to users of the highway and will not create a safety risk as demonstrated in the No Objection from HCC Highways.
- The proposed signs are to facilitate the advertisement of the business and is considered appropriate in this location.

Other material considerations

- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.
- The site is within Flood Zone 2 however the advertisements will not create an increase in flood risk.
- It is noted that there has been concern raised regarding an increase in highway use which would create a safety hazard to pedestrians and cyclists however the use is already permitted. This was a previous site used for industrial purposes and the new industrial use was previously assessed under the original application. This application only seeks to apply for the advertisements.

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 adopted local 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 local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

Equalities Implications:

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

Conclusion:

Recommendation:	CONSENT ☒	REFUSE ☐
Comments ...		