

DELEGATED ADVERT OFFICER REPORT:**Application Ref:** A/23/95868**Site Address:** SPARSHATTS OF BOTLEY LTD, BROAD OAK, BOTLEY,
SOUTHAMPTON, SO30 2EU**Case Officer:** Clare Martin**Description:** Display of 1no. internally illuminated totem pole at the site entrance, 3no. internally illuminated fascia signs and 1no. non illuminated free standing sign on the North Elevation.

Note: The current application is only to consider the proposed signage. If new cladding is to be installed on the building then this will require a separate planning application, although changing the colour of the existing cladding can be completed under permitted development.

Particular Site Constraints?	Yes ☐	No ☒
The site is outside of the Botley Conservation Area		

Planning History?	Yes ☐	No ☐
There have been various applications for signage at the site. The latest permission was for Suzuki in 2020 comprising the retention of 1no. internally illuminated fascia sign, 1no. internally illuminated totem sign and 1no. internally illuminated free standing sign (A/20/88391).		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	<u>One objection letter</u> The Illuminated signage is visible from the nearby dwellings and causes light pollution. There have been issues in the past with the illuminated totem pole being kept on 24 hours, when it was only permitted between 7am and 7pm. Please conditions hours of illumination.		
Transport Officer:	<u>No objection</u> • The proposed frontal Totem Pole (Sign A) is located in excess of 2.4m from the highway edge, and as such will not negatively impact visibility splays at the site access junction. • In terms of the other 4 signs, these are also acceptable, being located well away from the highway, and not having an impact on internal movements. • Luminance levels are also acceptable, with a maximum of 110 cd/sqm being applied for, which falls within permitted luminance levels of signs located adjacent to the highway.		
Parish Council:	No response		

Site Visit:	Yes ☒	No ☐
Details: Site visit carried out on 10 th November 2023.		

Legislation:
Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"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."

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

(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

- (a) the provisions of the development plan, so far as they are material; and*
- (b) any other relevant factors.*

(2) Without prejudice to the generality of paragraph (1)(b)—

- (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;*
- (b) factors relevant to public safety include—*
 - (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);*
 - (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;*
 - (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.*

(3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.

(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

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 (sustainable development) and S2 (approach to new development); Development Management policies DM1 (general development).

Assessment:

Characteristics of the Locality

The application comprises 1no. totem pole at the site entrance (measuring 1.58m wide by 5m high), 3no. fascia signs at the front of the building and 1no. free standing welcome sign next to the entrance door. The proposal is comparable to the Suzuki signage previously displayed at the site, in terms of the size, type and amount of signage, although the totem pole is 23cm wider. It is noted that the red background used in the signage is brighter than the previous signage. However, the red represents the corporate branding of the MG car dealership on the site and is considered acceptable for the mixed character of the locality.

The site is located on the approach to Botley Village Centre, within a mixed commercial/residential area. The signage will be visible from some of the nearby residential properties, and as such the hours of illumination will be restricted to trading times (in line with the previous advert permission) so that it fits in with the general characteristics of the locality.

The signage will not be visible from Botley Conservation Area and is not considered to have a detrimental impact upon this heritage asset.

Public safety

The signage is set back from the highway and its internal illumination is under the limit of 600cd/sqm. No objection has been raised by the Transport Officer on highway safety grounds and the proposed signage 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.

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 limit impacts on climate emissions as a result of the development or its use.

Conclusion:

Recommendation:	APPROVE ☒	REFUSE ☐
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Comments ...
