

DELEGATED OFFICER REPORT

Application Ref: A/24/97170

Site Address: 10 HIGH STREET, EASTLEIGH, SO50 5LA

Case Officer: Dorothy Hei-Tung-Hoh

Description: Fascia sign with name 'Lush Nails & Spa'. Projecting LED lightbox sign, double sided with name 'Lush Nails & Spa'. Window stickers with information, for example: ACRYLIC - OMBRC - BUILDER GEL - MANICURE - PEDICURE - FOOT MASSAGE Appointment Available - Walk In Welcome - Gift Vouchers Available

Particular Site Constraints?	Yes ☒	No ☐
• Within the urban edge • Within Built-up Area Boundary • Within Primary Shopping Zone • Eastleigh town centre boundary		

Planning History?	Yes ☒	No ☐
• Z/09397/003/00 - Change of use of first floor to osteopath counselling room - Permit - 19/09/1986 • Z/09397/004/00 - Two storey rear extension - Permit - 22/10/1990 • Z/09397/005/00 - Change of use to a3 - Permit - 11/11/1994 • Z/09397/006/00 - Change of use to a2 financial and professional services - Permit - 11/01/1995 • Z/09397/007/00 - Retail outlet - Withdrawn By Applicant - 08/01/1997 • A/09397/007/00 - Display of externally illuminated fascia sign - Withdrawn By Applicant - 08/01/1997 • A/09397/008/00 - Display of internally illuminated fascia sign and projecting sign - Consent To The Advert Display - 08/04/1997 • LDC/24/97172 - Lawful Development Certificate for Proposed Use as Nail bar (Class E). - CLOPUD - Certificate Issued - 26/04/2024		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	One objection letter was received regarding the application. The neighbour stated that they have no objections to new signage or window stickers but do object to electronic signage, as it will be near their living and sleeping areas. They also expressed concerns about potential noise, the risk of fire, and light pollution caused by the electronic signage.		
Parish Council:	No objection in principle, however, should the planning authority be minded to permit, requests a condition included in the planning permission to limit the illumination of the sign only within operating hours.		
Highway:	No objection to the proposals from a highway perspective.		

Site Visit:	Yes ☒	No ☐
Details: 3 rd May 2024.		

Policy: National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1 and S2; policy E3 and E3 (1c); and Development Management policies DM1, DM13 and DM22. Supplementary Planning Documents: Quality Places; Residential Parking Standards; Character Area Appraisals (Commercial Centre in Eastleigh)

Assessment: 10 High Street is a two-storey, terraced building situated in Eastleigh Town Centre. The ground floor of the property is currently vacant but has recently been granted a lawful development certificate for its proposed use as a nail bar. The first floor of the building is occupied as a residential unit. This application seeks planning approval for various advertisements associated with the nail bar, including a fascia sign, a projecting LED lightbox, and window stickers. <u>Legislation</u> 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." <u>Character and Design</u> • Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) stipulates that all new development should respect the character and appearance of urban areas, 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 in

terms of mass, scale, layout density, design, and siting.

- The proposed advertisements are considered to be in keeping with the character of the street, as the application property is located in a primary shopping zone where such advertising is a common and expected feature. They will integrate seamlessly with the existing commercial frontage, enhancing the visual coherence of the area without appearing out of place.
- The presence of a canopy along this section of the High Street will help mitigate the visual prominence of the proposed advertisements. The appropriate design and placement of the signage will ensure their visual impact is minimal and not intrusive. The proposed advertisements are unlikely to cause any visual harm to the surrounding area, and they are considered to complement the existing architectural and commercial environment.
- The luminance levels of the proposed signage will adhere to guideline figures, ensuring that it will not stand out prominently within the street scene.

Impact on residential amenity

- Policy DM1 of the Eastleigh Borough Local Plan (2016-2036) amongst other matters, stipulate that all new development should not have an unacceptable impact upon residential amenities of both new and existing residents.
- It is acknowledged that there are residential units above the nail bar, which raises concerns about the potential impact of the illuminated signage on neighbouring residents. The parish council has suggested imposing a condition to limit the illumination of the sign to operating hours. However, it is considered unnecessary to restrict the illumination hours or refuse the application on the grounds of residential amenity impacts. During the site visit, it was observed that there are several illuminated signages along the street, and a streetlamp post is located directly in front of the property. Given these existing sources of light, the proposed illuminated signage is not expected to cause harm. Additionally, the signage will be internally illuminated with an illuminance level of 400cd/m², which is below the standard threshold, further minimising any potential impact on residential amenity. To mitigate potential impacts on neighbouring residents, a condition will be imposed to ensure that the illuminance level of the proposed signage does not exceed 400cd/m², and that no light source is visible from the highway.

Highway and Public Safety

- HCC Highways has reviewed the proposal and raised no objection from a highway perspective. The signage is generally flat to the frontage, and where projecting signage is utilised, it is positioned at a sufficient height to avoid impacting passing pedestrians. Additionally, illuminated signs are proposed with a maximum illuminance level of 400cd/m², falling within the recommended range for the site's location.

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.

The NPPF, Policies S1, DM2 and DM3 of the 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.

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:

- Subject to conditions.
- The application is recommended for approval. Consent to the advert display.

Recommendation:

PERMIT ☒

REFUSE ☐