

DELEGATED OFFICER REPORT

Application Ref: A/24/97044

Site Address: 103 BOURNEMOUTH ROAD, CHANDLER'S FORD, EASTLEIGH, SO53 3ZJ

Case Officer: David Huckfield

Description: Display of 10no. non-illuminated fascia signs, 1no. internally illuminated fascia sign, 1no. internally illuminated projecting sign, 1no. non-illuminated ATM surround, 1no. wall-mounted non-illuminated car park sign, 2no. double-sided freestanding entrance/exit signs, and 1no. internally illuminated 3.3m high totem sign

Particular Site Constraints?	Yes ☒	No ☐
Within Urban Edge Existing Commercial Premises		

Planning History?	Yes ☒	No ☐
- F/04/52618 – Change of use of existing external areas to vehicle sales – REFUSED (31/01/2005) - F/05/53828 – Change of use to parking for rental cars including car valeting and landscaping – PERMIT (26/05/2005) - F/06/58827 – Change of use from office (B1a) to beauty salon (sui generis) (first floor) – PERMIT (01/03/2007) - F/07/60557 – Change of use to beauty salon (sui generis) and holistic therapy training centre (D1) (first floor) – PERMIT (24/08/2007) - F/19/85629 – Demolition of building and construction of 3-storey block of flats – REFUSED (11/12/2020) – DISMISSED ON APPEAL (07/01/2022) - F/21/91827 – Change of use from Dry Cleaners (Sui Generis) to Restaurant/ Café (Class E) and Drinking Establishment (Sui Generis) – WITHDRAWN (07/09/2022) - F/22/94159 – Single storey extension to existing commercial building (Use Class E, excluding E(b), (d), (g)ii, iii and (f)), including new refuse and cycle storage (amended description) – PERMIT (03/07/2023) - F/24/97134 – Proposed new ATM within existing aperture, proposed new light, proposed new camera – PERMIT (08/05/2024)		

Site Visit?	Yes ☒	No ☐
A site visit was undertaken by the Case Officer to consider the proposals in context.		

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations	3 letters of representation were received in relation to the application, with these raising objections to the proposals on the following grounds: - Light pollution arising from the proposed totem sign. - Totem signs not being present at other nearby Tesco stores. - The totem sign being unnecessary and an unwanted addition. - Highway and pedestrian safety concerns due to the location of the store and access to the car park in close proximity to a junction, as well as from the illumination of the signs and the impact on sight lines. - Illumination is unnecessary in a residential area.		

Chandlers Ford Parish Council	No comments received.
HCC Highways	<u>Initial comments:</u> In regard to application A/24/97044, having reviewed the information contained within the application pack, there would be a holding objection to the proposals at this stage, due to the location of some signage being on highway land, and also given the signage needs to take into full consideration the S278 access works which are understood to not yet be finalised. • 10no. non-illuminated fascia signs - No objection. • 1no. internally illuminated fascia sign - No objection, luminance levels acceptable. • 1no. internally illuminated projecting sign - Height and location of sign is acceptable, but no details of luminance levels have been provided. • 1no. non-illuminated ATM surround - No objection. • 1no. wall-mounted non-illuminated car park sign - No objection. • 2no. double-sided freestanding entrance/exit signs - The signs are located on highway land, and this should be amended to be on private land. Additionally, the sign located at the site exit is likely to interfere with signal pole position and as such the location should be informed by the S278 designs (to be approved). • 1no. internally illuminated 3.3m high totem sign - No objection in principal, however luminance levels are not quoted and the position of the totem needs to be informed by the S278 in terms of visibility splays and location. <u>Comments on amended proposals:</u> In regard to application A/24/97044, following on from the previous HCC Highway comments dated 01 April 2024, it is noted that an updated plan has been received (02_BOUR_02C-R1) showing revised locations for the 3 of the signs outlined above, being: - 2no. double-sided freestanding entrance/exit signs; and - 1no. internally illuminated 3.3m high totem sign. All signs are now located off of the public highway on private site land, and as such are acceptable in principle. As previously outlined however, the signage will need to also be reviewed as part of the S278 for the site access work, and if they are found to impact upon these (i.e. obstruct visibility or affect the workings of the traffic signals, there may be a requirement for them to be further relocated. Applicants should be made aware of this. Information outstanding for the application is that of the luminance level associated with the 1no. internally illuminated projecting sign, and it would also be requested that confirmation be provided for the luminance levels of the Totem sign. All signs should have luminance levels below 600cdl/sqm.

Relevant Policy and Legislation:

Legislative Background:

Advertisement Consent:

Regulation 3 of the Town and Country Planning (Control of Advertisement) Regulations 2007 (as amended) 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.

Regulation 4 states:

(3) In determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested.

The Development Plan:

Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan comprises the Policies of the adopted Eastleigh Borough Local Plan 2016-2036. The relevant policies to this application are: S1 (Delivering Sustainable Development), DM1 (General Criteria for New Development), DM13 (General Development Criteria – Transport).

National Planning Policy and Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in December 2023 and as set out within paragraph 224; the policies contained within it are material considerations which should be taken into account in dealing with applications from the day of its publication.

Of particular relevance to this application are Paragraph 141 of the NPPF which relates to the display of advertisements and states that:

The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The Planning Practice Guidance provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:

Summary of proposals:

The proposals seek consent for the provision of a total of 17 advertisements. These encompass 14 which will be mounted on the building (2 of which will be internally illuminated) and 3 freestanding signs. The freestanding signage will demarcate the entrance and exit to the car park area for the store, as well as include a 3.3m high internally illuminated gantry / totem sign that is to be positioned between the western elevation of the building and the footway edge along Bournemouth Road. The proposals have been amended during the application process to re-site the aforementioned freestanding signs off highway land following the initial comments of Hampshire County Council (the highway authority for the area).

Assessment:

The Advertisement Regulations require that local planning authorities exercise their powers in respect of the control of advertisement only in the interests of amenity and public safety. Whilst amenity is not exhaustively defined in the Regulations, the Planning Practice Guidance (Paragraph 079 Reference ID: 18b-079-20140306) provides additional context in this respect and sets out that it is a matter of interpretation by the local planning authority as it applies in any particular case but in practice “amenity” is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood.

In this respect, the majority of signage is considered to be acceptable. The advertisements that will be mounted on the building are considered to be appropriate in scale and number and will not be physically or visually overdominant of its public elevations. The illuminated signage on the store is limited to a single fascia sign above its entrance, as well as a modest hanging/projecting sign, both of which are on its eastern elevation facing Bournemouth Road. This extent of illumination is not deemed to be excessive or obtrusive in the street scene, nor will it have a detrimental impact upon the amenity of the neighbouring dwellings which face the site on the opposing side of the road. Similarly, the impacts on the residents of the properties immediately adjoining the site are considered to be appropriate with no illuminated signage proposed to the eastern or southern sides of the premises.

In respect of the freestanding advertisements, whilst the non-illuminated entrance and exit signs are considered to be acceptable and serve a functional purpose in terms of denoting the one-way access and egress arrangements for the site, there are notable concerns with regards to the impacts of the proposed totem / gantry sign. This sign is substantial in size at 3.3m in height and 1.45m in width and, owing to this, its illumination as well as its siting so close to the highway edge, it would appear as an unacceptably prominent and visually obtrusive feature in the street scene, to the detriment of the character of the area.

It is noted that there is a totem sign present at the car dealership to the opposing corner of the Leigh Road / Bournemouth Road junction, however, that is a larger site and is more commercial in character. The side of the junction on which the application site is positioned is, by contrast, set against a more domestic backdrop owing to the surrounding and immediately neighbouring residential uses. There is also notably less space around the premises, with the sign being sited within the very limited space available between the building's western elevation and the highway footway edge. This would create both a physically cramped and unduly visually cluttered arrangement in the street scene.

Whilst acknowledging the applicant's desire for visibility for their customers, it is considered that this sign is excessive, particularly given the prominence of the site itself and the range of other signage that is also proposed as part of the submission and, for the reasons set out above, it would be to the detriment of the amenity and character of the area. It would therefore be in conflict with the provisions of Policy DM1 of the adopted Local Plan and Paragraph 141 of the NPPF.

With regards to public and highway safety, no objections have been raised by the highway authority. The proposed entrance and exit signs, along with the totem sign, have been relocated such that they are no longer on highway land with amended plans having been received in this regard. Whilst the comments concerning the need for the signage to also subsequently be reviewed as part of the S278 agreement for the changes to the site access arrangements (that were part of the approval for the extension of the store under planning approval F/22/94159) are noted, this is outside of the advertisement application process and therefore not a determining factor in respect of the current submission. Should any changes be required to the siting of the approved advertisements following the S278 process, a revised advert application would be required to seek consent for their repositioning. An informative will be added to the decision notice to bring this to the attention of the applicant.

In terms of illumination, whilst details of the level of luminance of the proposed projecting and totem signs have been omitted from the submission as noted by the highway authority, a condition can be imposed to limit this to no more than 600cd/sqm and to ensure that no light source is visible from the highway. As noted above and notwithstanding this, the totem sign is considered to be unacceptable from an amenity perspective and consent is proposed to be refused for that particular advertisement.

Conclusion:

Overall, the majority of the proposed advertisements are considered to achieve an acceptable balance between drawing attention to the building's function without dominating its public elevations or detracting from the character of the area, and the advertisements will also not undermine public or highway safety. It is, however, considered that the proposed 3.3m high totem sign, owing to its siting, scale and height, as well as its illumination, would detract from the amenity and character of the area. It is therefore recommended that a split decision be issued, with consent being refused for the totem sign and granted for the remaining advertisements.

Recommendation:	JOINT DECISION (PART CONSENT / PART REFUSE):
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	CONSENT TO: Display 10no. non-illuminated fascia signs, 1no. internally illuminated fascia sign, 1no. internally illuminated projecting sign, 1no. non-illuminated ATM surround, 1no. wall-mounted non-illuminated car park sign, and 2no. double-sided freestanding entrance/exit signs. REFUSE CONSENT FOR: Display of 1no. internally illuminated 3.3m high totem sign.
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