

DELEGATED ADVERT REPORT

Application Ref: A/24/98568

Site Address: Boorley Park Convenience Store, Retail/Flat Block Plots 1-0 at junction of Winchester Road and Kingsman Drive, Boorley Green, SO32 2ZJ

Case Officer: Clare Martin

Description: Display of 2.no internally illuminated fascia signs. 2.no internally illuminated projecting signs, internally illuminated entrance door surround and various non illuminated window graphics.

Particular Site Constraints?	Yes ☐	No ☒
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Details:

Planning History?	Yes ☒	No ☐
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- F/19/86233 - Demolition of existing buildings and dwelling with the construction of a mixed use retail and residential development comprising an A1 retail convenience store and flexible retail floorspace (A1 and A2 Use Class), and 67 residential units (C3 Use Class) with associated access, parking, landscaping, drainage, and ancillary infrastructure including pedestrian and cycle links – Permitted (May 2021). The permission included a condition restricting the type of window graphics at the site.

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
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Representations:

One letter of objection

- Issues with excessively bright L.E.D illuminated advertising causing light pollution, highway safety and, out of keeping with the character of the local geography. Will the excessive lighting be on 24/7 and what candelas?
- Driving along highways during Autumn/Winter/low light levels exposes drivers and pedestrians to excessive glare and 'flashes' of blinding light from the LED's. Light source clearly visible from the highway and a safety hazard to road users.
- Council has a lack of resources or power to monitor or enforce advertising planning breaches.

Transport Officer:

No Objection

Parish Council:

No Objection

Site Visit:	Yes ☒	No ☐
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Details: Carried out 4th December 2025

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 & S2; and Development Management policies DM1.

Proposal:

Front entrance on north-west elevation

1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign located above main entrance. Signs display company name, with the fascia sign measuring 1.3m(l) by 0.5m(h) and projecting sign measuring 0.65m by 0.6m(h). The entrance door is also surrounded by acrylic illuminated inner edge.

Windows on north-west elevation

Amended plans have been received so that all large windows on the north-west elevation are clear or have a horizontal row of dotted green triangles. The only exception is a non-illuminated panel partially covering one of the windows at the entrance door (measuring 0.6m(l) by 1.1m(h)) and a second panel fully covering the smaller front window.

South elevation (side)

1no. internally illuminated fascia sign located above window display on site. Fascia sign displays company name and measures 1.3m(l) by 0.5m(h). All windows on the southern side elevation are fully covered by non illuminated panels.

Assessment:

Visual Amenity

The site is at the southern corner of a small parade of the shops currently being constructed as part of the Boorley Park housing development. Condition 33 of the approved development states *"the convenience store shall retain clear glazing and an active window display along the length of the glazed shop windows and doors hereby approved, without the installation of window vinyls or equivalents."* The condition was imposed to retain a lively and attractive street scene without obstruction and to improve the natural surveillance offered by the development.

The north west elevation is the most prominent, containing the front entrance and facing out onto the main road junction and footpath. Amended plans have been received so that the largest windows on this elevation are for the most part clear from windows graphics and so provides a welcoming appearance and natural surveillance. As a comprise full window graphics have been used on the southern elevation, but this is considered acceptable as it is a secondary side elevation.

The proposal also includes 1no. fascia and 1no. projecting sign at the front entrance and a second fascia sign at the side for the building. This style of signage is commonly found on convenience stores. It is considered that the design, size, colour, illuminance levels and amount of signage is appropriate for the building and will not detract from general characteristics of the locality.

Public Safety

The proposed signs are in non-obstructive locations, being flat to the front of the building or in case of the projecting sign being of sufficient height as not to obstruct pedestrian movements below. Where the main signs are illuminated, this is static illumination and luminance levels quoted are within acceptable parameters. No objection has been raised by the Transport Officer, subject to a maximum illumination of 600 candela per square metre. As such the proposal is not considered to cause an unacceptable risk to either highway or public safety.

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 Emerging Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Saved Policies 34.ES and 37.ES of the Local Plan, Policies S1, DM2 and DM3 of the Emerging 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 ...