DELEGATED OFFICER REPORT

Application Ref: A/25/98749

Site Address: Pavement o/s, 13 Leigh Road, Eastleigh, SO50 9FF

Case Officer: Rachael Morris

Description: Installation of an internally illuminated digital Advertised Communication Hub Unit with Defibrillator

Particular Site Constraints?	**Yes** ☒	**No** ☐
• Eastleigh Town, District and Local Centres and Neighbourhood Parades • Primary Shopping Zone • Eastleigh town centre boundary • Within the urban edge		

Planning History?	**Yes** ☒	**No** ☐
• Z/32511/000/00 - Regulation 4: Paving and Landscaping, Paving to Existing Highway And South West Corner Of Leigh Road Park, and Use For Market – Grant deemed permission – Apr 1992 • F/24/98494 - Installation of an internally illuminated digital Advertised Communication Hub Unit with Defibrillator – Refuse – Dec 2024		

Publicity:	**Letters** ☒	**Site Notice** ☐	**Newspaper** ☐
Representations:	None		
Town Council:	Objection. Although we wholly support the principle of the hub unit with defibrillators, we do not agree with the proposed location.		
Local Area Manager:	This comes at a time when we are engaged in a major consultation programme about the future of the town centre and how to maximise the potential for regeneration. One option within this process is a trial pedestrianisation of High Street and/or Market Street. This provides an opportunity for a range of alternative uses for the pavement and road surfaces, such as table and chairs, parklets, planting and events spaces. This clearly needs to be designed in a well thought out and integrated way. The provision of public information is part of this approach. However, working with the Highway Authority, we would wish to commission/tender for a design and in locations that best fits with the wider look and feel and contributes to the place-making in co-ordinated manner. All three proposed signs would conflict with the above aims and I therefore object. In addition, the one proposed for Leigh Road Precinct is in the middle our current market and on one of our main strategic cycle paths.		
Hampshire Highways:	No objection to the proposals in principle. This however would be subject to appropriate licences being applied for and granted (from HCC as Local Highway Authority) to undertake the associated installation works, should a permission be granted from EBC as Local Planning Authority. The proposed location of the Communication Hub is in a non-obstructive position on Leigh Road, a pedestrianised area of highway in the northern area of the wider town centre. Adequate pedestrian movement space remains to circulate the unit.		

Site Visit:	**Yes** ☒	**No** ☐
Details: 05/12/2024		

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 E3 and DM1.

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 has been considered against policy DM1 from the 2016-2036 local plan, in that:

Principle

- The development is within the urban edge where the principle of development is acceptable.
- This application relates to a full application, determined in December 2024 under reference F/24/98494. This application was refused due to the following reason:

  The proposed development would reduce the flexibility of space enjoyed by pedestrian users and create an obstruction to the flow of pedestrian and cycle movements to the Town Centre to an unacceptable extent. As such this is in conflict with the principles of policies DM1 and E3 from the Eastleigh Local Plan (2016-2036)

- The full application related to the structure/hub that would house the proposed advert on one side and a defibrillator on another. Whereas this application relates to the advert element only.

Design and layout

- As per the advert regulations, as stated above, amenity and public safety can be considered.
- As a result of the proposed placement of the advert, they have the potential to cause an obstruction to pedestrian and cycle traffic that use this space which

currently benefits from a flexible use. This could cause a safety concern for usability due to the cluttered nature of the public realm and public highway.

- As considered under section 4, paragraph 3 of the advertisement regulations, within the time period that this advert could gain consent for, it is reasonable to expect that Eastleigh Town Centre will experience change through the 'Together We Make Eastleigh' scheme. As such, this advertisement board could create further disruption.

Other material considerations

- 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.
- There will be no adverse impact upon trees or other natural features worthy of retention.
- There are no likely significant impacts on the SPA.

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. Section149 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 …		