

DELEGATED OFFICER REPORT

Application Ref: A/25/98691

Site Address: UNIT 9C, HERALD INDUSTRIAL ESTATE, HERALD ROAD, HEDGE END, SOUTHAMPTON, SO30 2JW

Case Officer: David Huckfield

Description: Retention of 1no. internally illuminated fascia sign

Particular Site Constraints?	Yes ☒	No ☐
Within the Urban Edge Within Designated Employment Site		

Relevant Planning History?	Yes ☒	No ☐
Z/18753/000 - Layout of Land for Industrial and Warehouse Purposes – PERMIT (1978) Z/18753/001 – Outline application for industrial estate including nursery units – APPROVED (1980) Z/18753/002 – Mixed warehouse and industrial units – PERMIT (1980) A/18753/003 – Non-illuminated painted board sign affixed to timber frame – CONSENTED (1981) Z/18753/004 – Approval of landscaping details – PERMIT (1981) Z/33682/000 – Display of one illuminated and two non-illuminated signs attached to face of building – CONSENTED (1995)		

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	No third party representations have been received.		
Hedge End Town Council	No objection subject to lights being turned off by 11pm.		
HCC Highways	In regard to application A/25/98691, having reviewed the information contained within the application pack, there would be no objection to the proposals from a highway perspective. It is understood that the sign replaces an existing sign of the same size, which is located on the upper front of unit 9C. As such, it is well away from the highway, and its position does not obstruct any movement below it. Additionally, at a proposed 150 cd/m2 luminance level, the sign falls well within permitted signage light levels for such a location.		

Relevant Policy and Legislation:
Legislative Background: <u>Advertisement Consent:</u> 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 2024 and, as set out within paragraph 231, 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 application seeks retrospective advertisement consent for the display of a single internally and statically illuminated fascia sign which is displayed on the frontage of the application premises (southern elevation). The sign measures 7.17m in width and 0.88m in height, with a limited degree of projection (approx. 0.2m) from the wall of the building. The level of luminance is stated to be 150cd/m² and consent is sought for the standard 5 year period.

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 these respects, the proposals are considered to be acceptable. Whilst the advertisement is relatively wide at 7.17m, it is not disproportionate or unduly overdominant of the façade of the building upon which it is displayed and achieves an appropriate balance between drawing attention to the business operations undertaken within the premises and respecting the character of the area. The level of luminance proposed (150cd/m²) is also deemed to be reasonable and, whilst the comments of the Town Council are noted, it is not considered necessary in this case to restrict the hours of luminance of the sign given its positioning relative to the nearest residential properties (the signage is on the southern elevation of the building with the closest neighbouring dwellings being to the north). Finally, there are no highway safety concerns in relation to the siting or luminance of the signage and no objection has been raised by the Highway Authority.

For the reasons given, therefore, there is considered to be no conflict with the relevant legislative or planning policy requirements and the application is recommended for approval subject to conditions.

Recommendation:	CONSENT TO ADVERT DISPLAY
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