

## DELEGATED OFFICER REPORT

**Application Ref:** A/25/99366

**Site Address:** 58 Market Street, Eastleigh, SO50 5RU

**Case Officer:** David Huckfield

**Description:** Display of 1no. internally illuminated projecting hanging sign and 1no. externally illuminated fascia sign

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| <b>Particular Site Constraints?</b>                                                                         | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Within the Urban Edge<br>Within Primary Shopping Zone and Primary Shopping Frontage (Eastleigh Town Centre) |                                                |                                    |

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| <b>Relevant Planning History?</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| Z/07209/000 – Installation of new shop front – PERMIT (1962)<br>Z/07209/001 – New shop front – PERMIT (1968)<br>Z/07209/002 – Change of use of ground and first floor to Building Society branch premises – REFUSED (1976)<br>Z/07209/002A – Change of use from retail shop to building society office – PERMIT (1976)<br>Z/07209/003 – Internal alterations and small extension to convert existing property to building society branch premises – PERMIT (1977)<br>A/07209/004 – Illuminated box sign – CONSENTED (1977)<br>Z/07209/005 – Ground floor rear extension – PERMIT (1978)<br>Z/07209/006 – Car port – PERMIT (1978)<br>Z/07209/007 – Erection of illuminated fascia signs front and rear and projecting sign – CONSENTED (1987)<br>Z/07209/008 – Installation of cash dispensing machine in existing shopfront window – PERMIT (1988)<br>Z/07209/009 – Internally illuminated projecting sign & illuminated control on machine – CONSENTED (1988)<br>A/07209/010 – Display of internally illuminated fascia and projecting signs – CONSENTED (1992)<br>Z/07209/011 – Two storey rear extension, new shop front and addition of rear fire escape – PERMIT (1995)<br>Z/07209/012 – Installation of 80cm satellite dish at rear – PERMIT (1996)<br>A/05/54106 – Display of 1no. externally illuminated fascia sign and 1no. externally illuminated projecting sign – CONSENTED (2005)<br>F/08/62088 – Replacement air conditioning unit – PERMIT (2008) |                                                |                                    |

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| <b>Site Visit?</b>                                                                    | <b>Yes</b> <input checked="" type="checkbox"/> | <b>No</b> <input type="checkbox"/> |
| A site visit was undertaken by the Case Officer to consider the proposals in context. |                                                |                                    |

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| <b>Publicity:</b>      | <b>Letters</b> <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                               | <b>Site Notice</b> <input type="checkbox"/> | <b>Newspaper</b> <input type="checkbox"/> |
| <b>Representations</b> | None received.                                                                                                                                                                                                                                                                                                                                                   |                                             |                                           |
| <b>HCC Highways</b>    | In regard to application A/25/99366, having reviewed the information contained within the application pack, there would be no objection to the proposals from a highway perspective.<br><br>The fascia sign is flat to the front of the building, and the projecting hanging sign is located at a height where it will not impact on pedestrian movements below. |                                             |                                           |

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|                               | Additionally, luminance levels are quoted as being 300 and 120 CD/SQM respectively which falls within acceptable levels given the site location. |
| <b>Eastleigh Town Council</b> | No objection.                                                                                                                                    |

## **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), E3 (Eastleigh Town Centre).

### **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:**

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 advertisements are considered to be acceptable. The proposed signage is substantively a like-for-like replacement for the existing fascia and hanging signs which are present on the shop front of the premises, with the primary changes being an update to the type face / font within the corporate branding on the fascia sign and the hanging sign being internally, rather than externally, illuminated. The luminance levels of the signage would also be limited to no more than 300cd/m<sup>2</sup>, which is considered to be reasonable given the town centre location of the site and the largely commercial character of this section of Market Street. Whilst not considered reasonable to impose a condition to this effect given that there are no such limitations on the existing illuminated advertisements on the premises or indeed on nearby premises, it is also noted that the intention is that the illumination of the advertisements would be switched off during the night time period of 11pm to 7am. This would have the dual benefits of limiting light pollution as well as preventing energy wastage.

Finally, there are no highway or public safety concerns in relation to the signage, with the proposed luminance levels being within the relevant prescribed limits and the hanging sign being positioned at a sufficient height as to not impede pedestrian movements along the footway.

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.

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| <b>Recommendation:</b> | <b>CONSENT TO ADVERT DISPLAY</b> |
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