

DELEGATED OFFICER REPORT

Application Ref: A/25/99268

Site Address: General Mechanics, Southampton Road, Eastleigh, SO50 5QT

Case Officer: Gregg Chapman

Description: Retrospective application for installation of the 2.no. freestanding advertisement boards and 1.no pavement sign. Application for the siting of one advertisement board.

Particular Site Constraints?	Yes ☒	No ☐
• Within Urban Edge • Within Designated Airport Safeguarding Zone		

Planning History?	Yes ☒	No ☐
PN/20/88390 - Demolition of single-storey red brick building – Prior Approval Granted, 02/09/2020.		

Publicity:	Letters ☒	Site Notice ☐	Newspaper ☐
Representations:	None		
Parish Council:	No response received		
HCC Highways	No objection, subject to signage not being on/overhanging the public highway.		

Site Visit:	Yes ☒	No ☐
Details: 15 th May 2025		

Legislation:
Regulation 3 (1)(2)(3) (as amended) of the Town and Country Planning (Control of Advertisement) Regulations 2007 states: <i>(1) A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—</i> <i>(a) the provisions of the development plan, so far as they are material; and</i> <i>(b) any other relevant factors.</i> <i>(2) Without prejudice to the generality of paragraph (1)(b)—</i> <i>(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;</i> <i>(b) factors relevant to public safety include—</i> <i>(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);</i> <i>(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;</i> <i>(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.</i> <i>(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.</i> <i>(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.</i>

Policy:**National Planning Policy Framework
Planning Practice Guidance****Development Plan:**Eastleigh Borough Local Plan 2016-2036

The most relevant policies are S1 “Delivering Sustainable Development”, DM1 “General Criteria for New Development”

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. The Planning Practice Guidance (Paragraph 001 Reference ID: 18b-001-20140306) states that, therefore, *“the regime is lighter touch than the system for obtaining planning permission for development”*.

Amenity

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.

The signs relate to a commercial car garage use, in an urban area, at a site that is next to a public car park, with a further garage to the south which includes car sales, a large illuminated lcd panel advert at that site, with a petrol station also located to the south. The area is therefore characterised by commercial/industrial uses with a number of signs, with residential opposite, the railway line to the east, and is located on the busy Southampton Road thoroughfare. The proposed three signs (one of which is two sided and thus equating to ‘four’ as described with the application’, whilst notable, particularly the larger of the three (and the double sided one), are in keeping with the commercial urban setting, ensuring no conflict with Policy DM1 of the Eastleigh Borough Local Plan 2016-2036 and Paragraph 141 of the NPPF.

The signs do not result in an unacceptable impact on residential amenity, being on the opposite side of the road from the residential properties, and not illuminated, ensuring compliance with Policy DM1 of the Local Plan.

Safety

The A-board sign has historically been located partly on the footpath outside of the site and partly within the site. The smaller board sign overhung the footway, but not the road. These projections were raised as a concern by the Highway Officer. The third sign is a large sign visible from the road.

The sign that overhung the footway has subsequently been removed (and thus is no longer retrospective). It is to be re-affixed so that it does not overhang the footway. The A-board is not now to be sited partly on the footway. The agent has provided amended

plans to show this, and has confirmed in writing that there will be no siting/overhang of the footway. The Highway Authority have no objection to this.

The large (two sided) sign clearly identifies the operations at the site, and is not distracting to drivers by providing an over proliferation of information, or, thus a distraction. The Highway Authority have no objection to this.

Planning Practice Guidance (Paragraph: 028 Reference ID: 18b-028-20140306) advises that, *"Public safety is not confined to road safety and includes all of the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air."* No public safety harms are evident.

Conclusion

The proposed adverts achieve an acceptable balance between drawing attention to the function of the site without detracting from the character of the area, which is urban and has a number of adverts already, and will also not undermine public or highway safety. It is therefore recommended that advertisement consent be issued.

Equalities Implications

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 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 and development plan 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 adopted Local Plan, as is an assessment of climate impacts.

Conclusion:

Recommendation:	PERMIT ☒	REFUSE ☐
-----------------	---	--

Comments ...
