

## Eastleigh Local Area Committee 7 June 2022

**Application Number:** F/22/92964  
**Case Officer:** Dawn Errington  
**Received Date:** 28 April 2022  
**Site Address:** Neighbourhood Square, Highwood Avenue, North Stoneham Park, Eastleigh  
**Applicant:** Eastleigh Borough Council  
**Proposal:** External permanent public art installation in the form of a clock utilising real-time bus arrivals data and coloured LED lighting, mounted to a slim mast or pole (full height 5.652 metres)  
**Recommendation:** Subject to the consideration of any further neighbour and consultee comments Permit

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### CONDITIONS AND REASONS:

1. The development hereby permitted shall start no later than three years from the date of this decision. Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be implemented in accordance with the following plans numbered: LD.1085.08.20-A.01- REV04, 0243 Here There Clock – Design Clip1 Rev01. Reason: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used must match as closely as possible, in type, colour and texture those listed in the Materials Section of the application form and Appendix C- Materials technical data sheets. Reason: To ensure a satisfactory visual relationship of the new development to the existing.

Note to Applicant: In accordance with paragraph 38 of the National Planning Policy Framework, Eastleigh Borough Council takes a positive approach to the handling of development proposals so as to achieve, whenever possible, a positive outcome and to ensure all proposals are dealt with in a timely manner.

### Report:

This application has been referred to Committee because Eastleigh Borough Council are the applicants, and the proposals are of public interest.

### Site Characteristics and Character of the Locality

1. North Stoneham Park is a new 1100+ dwelling residential development approximately two-thirds constructed to the south of Eastleigh. It is

therefore creating a new site character, the concept for which includes the provision of new public spaces with public art.

## **Description of Application**

2. The application is for an external permanent public art installation to be located within public open space on the west side of Highwood Avenue in the North Stoneham Park development known as the Neighbourhood Square. The public art would be sited in the north-east corner of the square, adjacent a road (not yet constructed) and Highwood Avenue, and close to a bus stop. The work comprises an installation in the form of a clock utilising real-time bus arrival data. The circular clock face with intrinsic coloured LED lighting would be mounted to a slim mast or pole. This is fixed underground via a baseplate to a concrete pad foundation. The full height of the structure from ground to top is 5.652 metres.
3. The application is accompanied by the following reports and technical assessments:
  - 21117 - Here there Clock - Structural report P1
  - LD.1085.08.20-A.01-REV.05 Construction - General Arrangement SW420\_MP\_HTC\_001 rev A - Foundation
  - set Works\_MP\_Here There\_Technical Stage Report - Planning Statement/DAS
  - Appendix A - Plan of Neighbourhood square
  - Appendix B - Artist Concept
  - Appendix C - Materials technical data sheets
  - Appendix D - 0243 Here There Clock - Design Clip 1 Rev 01 Appendix E - LD.1085.08.20-A.01-REV.04 LIST
4. The proposal has been screened out under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011 due to its minor nature. Screening under the Habitats Directive was also not required due to its minor nature.

## **Relevant Planning History**

- Planning permission O/15/76023 for 1100 dwellings, public open space, primary school, local centre and other infrastructure granted January 2016.
- Reserved matters consent R/17/79892 for first residential phase included public open space areas and neighbourhood square west of through road.

## **Representations Received**

5. Occupiers of completed adjoining properties notified by letter and site notice displayed. Consultation end date 3 June 2022.
  - 1 letter of support received

- Any further representations will be reported.
6. Pre-application community consultation was also undertaken in June-July 2021 and feedback incorporated into the application.

### **Consultation Responses**

7. **Direct Services** – Street Scene and Waste Team – no objection
8. **Southampton Airport** – any comments to be reported
9. **Community Development Officer** – have received a large number of positive comments from residents in relation to the clock. The design reflects the history of the site and the location fits well with the bus stop on the estate, it adds interest to the Neighbourhood Square and relates the new housing to the existing church at North Stoneham.
10. **Asset Management** – any comments to be reported

### **Relevant Policy Context and Designations Applicable to Site**

- Within Built-up Area Boundary
- Within HRA Screening Area
- Within Airport Safeguarding area
- HCC Historic Parks or Garden register

### **Development Plan Policies**

#### **Eastleigh Borough Local Plan 2016-2036 (Adopted April 2022)**

Strategic policies:

- S1 (Sustainable development);

Development Management policies:

- DM1 (General Development Criteria);

#### **Supplementary Planning Documents and EBC Strategies**

- Quality Places (November 2011);
- Planning Obligations (July 2008, updated 2010)
- Public Art Strategy 2015-2019

#### **National Planning Policy Framework 2021**

11. At national level, the National Planning Policy Framework (the 'NPPF' or the 'Framework') is a material consideration of significant weight in the determination of planning applications. The National Planning Policy Framework (the 'NPPF' or the 'Framework') states that (as required by statute) applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and sets out a general presumption in favour of

sustainable development unless material considerations indicate otherwise.

12. Three dimensions of sustainability are to be sought jointly: economic (supporting economy and ensuring land availability); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst local circumstances should also be taken into account, so that development responds to the different opportunities for achieving sustainable development in different areas.

### **National Planning Practice Guidance**

13. Where material, the Planning Practice Guidance which supports the provisions and policies of the NPPF should be afforded weight in the consideration and determination of planning applications.

### **Assessment of Proposal: Development Plan and / or Legislative Background**

14. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a Local Planning Authority determining an application to do so in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Eastleigh Borough Local Plan 2016-2036 and the Hampshire Minerals and Waste Plan 2013 (which is not applicable in this case). The NPPF and the Planning Practice Guidance constitute material considerations of significant weight.

### **Principle:**

15. Adopted Local Plan Policy DM 1(k) requires proposals to “include provision for public art associated with new large-scale development in accordance with the Council’s adopted Public Art Strategy”. The Public Art Strategy 2015-2019 recognises that public art can enhance open spaces and help create local distinctiveness, and specifically supports the provision of public art at this site. The Section 106 agreement associated with the planning permission for the North Stoneham Park Development (formerly known as Land at Chestnut Avenue) secured financial contributions in accordance with the Council’s Planning Obligations SPD towards to the provision of on-site public art, and sets down arrangements for a Public Art Steering Group to procure the public art. This application is a result of this process, and the proposals are clearly supported in principle.

### **Sustainable Development:**

16. Section 2 of the NPPF (February 2019) states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the

present without compromising the ability of future generations to meet their own needs.

17. Achieving sustainable development means that the planning system has three overarching objectives – economic, social, and environmental (which are interdependent and need to be pursued in mutually supportive ways) that should be delivered through the preparation and implementation of plans and the application of the policies in the Framework.
18. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
19. Each of the three dimensions of sustainable development is considered below.

**Economic Sustainability:**

20. The procurement of public art enables creative industries to participate in the economic growth of the area.

**Social Sustainability:**

21. The provision of public art supports cultural initiatives promoted through the Council's Public Art Strategy and helps support high standards of design for new development. Integrated public art in turn provides opportunities for community engagement, supporting wellbeing and social sustainability.

**Environmental Sustainability:**

22. Environmental sustainability can consist of the design, ecological, traffic, amenity and other physical or visual considerations of a scheme.

**Design and Appearance:**

23. Policy DM1 of the Local Plan requires development to take full and proper account of the context of the site including the character and appearance of the locality and be appropriate in mass, scale, materials, layout, design and siting. It should also avoid unduly impacting on neighbouring uses through loss of light or loss of outlook or other specific amenity impacts.
24. Public art, by its nature, can be unusual or different to its surroundings and provoke discussion and interaction. It can, however, contribute to a site's individual identity and provide opportunities for waymarking or focal points for large sites. It can also deliver high quality design and environmental standards and enhance public open space.
25. The proposed "Here/There" clock is one element of the public art strategy for the North Stoneham Park development. It is not a traditional clock, but one which is linked to real-time bus information and would relay the approximate arrival time of the next bus due at the adjoining bus stop, showing the bus to be either "here" at the bus stop, or "there", some distance away, in an abstract way. The hands on the 1.53m diameter

clock reflect the one-handed clock at the nearby St Nicolas Church, Stoneham Lane. Its height reflects the need to be seen from a distance and its mounting on a 3.7m high pole would enable it to be too high for vandalism. The LED lights would light the clock and animate the Neighbourhood Square at night. They would move from red to blue as the bus gets nearer.

26. The landscaping and design of the Neighbourhood Square in which the clock is located is not part of this application.

**Residential Amenity:**

27. Policy DM1 also requires proposed development to avoid unduly impacting on neighbouring uses through overlooking, loss of light, loss of outlook, noise and fumes. The proposed installation does not give rise to such impacts and is compliant with Policy DM1.

**Human Health:**

28. Human health relating to safety has been considered and satisfactory information on product safety of the materials to be used and the design specifications, including loading from climbing etc, on the structure have been provided.

**Sustainability Measures and Climate Change:**

29. 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.
30. 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.
31. The NPPF, Policies S1, DM2 and DM3 of the 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.

**Other material considerations:**

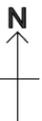
**Equalities Implications:**

32. 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:
    - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - a. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - b. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
33. 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**

34. The proposed art installation is expected to enhance the North Stoneham development in a unique way and is compliant with the relevant planning policy considerations. Permission is therefore recommended subject to conditions and the consideration of any further neighbour and consultee comments received before committee.

F/22/92964



Address: Neighbourhood Square, noerth Stoneham Park  
South of chestnut Avenue

Date: 28/04/2022

Scale: 1:1250