

Hedge End, West End and Botley Local Area Committee – 13 June 2022

Application Number: A/22/92460
Case Officer: Summer Sharpe
Received Date: 15 February 2022
Site Address: 1 Lankester House, Kettle & Cake, Freegrounds Road,
Hedge End, SO30 0HG
Applicant: Alison Davanzo
Proposal: Consent to install 2no. non-illuminated fascia signs.
(Amended description).
Recommendation: Consent to Display the Advertisement

CONDITIONS AND REASONS:

- 1) This consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.
 - a) No advertisement to be displayed without the permission of the owner of the site (this includes land or buildings where the advertisement is displayed), or any other person with an interest in the site entitled to give permission.
 - b) The siting or display of an advertisement is prohibited if it endangers anyone using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), or would obscure or hinder the ready interpretation of any traffic sign, railway sign or aid to navigation by water or air. It also prohibits the siting or display of an advertisement that would hinder the operation of any device used for the purpose of security or surveillance (such as closed circuit television cameras), or for measuring the speed of any vehicles (speed cameras or other speeding measuring devices).
 - c) The advertisement and any land or building used for the purpose of its display to be maintained in a reasonably clean and tidy condition so that it does not impact the visual amenity of the site.
 - d) Any structure or hoarding used for the display of advertisements to be maintained in a safe condition that does not endanger the public.
 - e) Following the removal of advertisement the site shall be left in a condition that does not endanger the public and in a reasonably clean and tidy condition so that it does not impact the site's visual amenity.

Reason: To comply with the advertisement regulations.

- 2) Plans The development hereby permitted shall be implemented in accordance with the following plans numbered:

- Unit 3, 1 Freegrounds Road, Hedge End, SO30 0HG Elevations and Site Plan Rev B (received 3 May 2022)

Reason: For the avoidance of doubt and in the interests of proper planning.

3) The signage hereby permitted shall not be illuminated.

Reason: In the interests of highway safety/amenity.

Informatives:

1. In accordance with paragraph 38 of the National Planning Policy Framework (July 2021), 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.

1. Report:

2. This application has been referred to Committee because a Councillor lives within close proximity to the application site.

3. Site Characteristics and Character of the Locality

4. The application site is located on a corner plot, to the north and east of Freegrounds Road, the south of St John's Road (B3033), and the west of Freegrounds Avenue. The application site itself comprises a ground floor unit currently in use as a café/ tearoom.

5. The site and wider surrounding area forms part of the secondary shopping area of Hedge End. To the west of the host building are parking provisions serving the site and nearby commercial units. To the south are residential dwellings, to the east is 'Our Lady of the Assumption' Catholic Church. Further east are residential properties, and to the north is the primary shopping area of Hedge End.

6. Description of Application

7. The proposals have been amended during the application process, this includes the omission of the 5no. awnings and A-board. The application now proposed to install 2no. non-illuminated fascia signs.

8. 1no. fascia sign would be located on the north-western elevation (above the main entrance). This would measure approx. 1.6m by 0.5m and would be situated approx. 4.2m above ground level. The other fascia sign would be located along the western elevation. This would measure approx. 5.3m by 0.4m and would be situated approx. 3.4m above ground level. Both signs would be finished in Perspex.

9. Relevant Planning History

Application no.	Proposal	Decision
X/21/92160	Variation of condition 3 (opening hours) of planning permission J/17/80081 for prior approval for change of use for A1 (retail) to A3 (restaurants and cafes).	Permit (March 2022)
X/19/86760	Variation of condition 3 of prior notification J/17/80081 to extend opening hours.	Refused (February 2020) Dismissed Appeal (November 2020)
J/17/80081	Prior approval for change of use for A1 (retail to A3 (restaurants and cafes).	Prior Approval Granted (April 2017)
F/14/74156	Change of use from A1 (Retail) to A2 (Financial and professional services).	Permitted (May 2014)
A/07/59967	Retrospective display of 3no. externally illuminated signs.	Consent to Display the Advert (June 2007)
A/05/55569	Display of internally illuminated fascia sign.	Consent to Display the Advert (December 2005)
Z/27911/010/00	Installation of air conditioning unit on existing flat roof.	Permitted (October 2002)
A/27911/008/00	Erecting illumination box sign.	Consent to Display the Advert (October 1987)
A/27911/007/00	Display of illuminated signs.	Refused (April 1987)
A/27911/005/00	Display of illuminated projecting sign.	Refused (November 1986)
Z/27911/002/00	Conversion to offices with external alterations and associated parking.	Permitted (October 1985)
Z/27911/001/00	Change of use to pet shop.	Permitted (February 1985)
Z/27911/000/00	Use of premises as pet shop and construction of compound for storage of LPG cylinders.	Refused (December 1984)
WIR0041200000	The display of advertisements.	Consent to Display the Advert (July 1967)
WIR0032100000	The display of advertisements.	Consent to Display the Advert (September 1963)

10. Representations Received

11. None received.

12. Consultation Responses

13. Hampshire County Council Highways

14. It is noted that the application description has been amended and the plans updated accordingly. The proposals have been reduced to two non-illuminated fascia signs, and given they are flat to the surface of the frontage

of the building with no protruding over the highway, there is no objection from a highways perspective.

15. Policy Context and Designations Applicable to Site

- Within urban edge
- Hedge End: Village Centre
- Surface water flooding
- Airport safeguarding zones
- Flood Zone 2 & 3
- Solent disturbance zone

16. Development Plan

17. Eastleigh Borough Local Plan 2016-2036

Strategic policies:

- S1 (Sustainable Development);
- S2 (Promotion of New Development);

Development Management policies:

- DM1 (General Development Criteria);
- DM13 (Transport);

18. Hampshire Minerals and Waste Plan

19. Policy 15 – Safeguarding of Mineral Resources.

20. National Planning Policy Framework

21. 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.

22. National Planning Practice Guidance

23. 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.

24. Assessment of Proposal: Development Plan and / or Legislative Background

25. 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.

26. 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.

27. Principle:

28. The application site falls within the urban edge, whereby the principle of development is considered to be acceptable. Further it is noted that the site and surroundings form part of the secondary shopping area of Hedge End Village Centre, therefore this type of development is common within the vicinity. The proposals would, however, be subject to the following considerations.

29. Impact upon Amenity

30. The application proposes 2 no. fascia signs located on the host building. The fascia sign above the main entrance would replace existing signage of a similar size and scale, also being in a similar location. Given that this advert would replace existing, it would therefore be considered acceptable.

31. The amendments to this application include 1no. proposed fascia on the western elevation in lieu of awnings. The introduction of signage on this elevation is considered to be appropriate with regard to its size and siting on the host building, and when read within the wider context of the surroundings.

32. The application site falls within the Hedge End Village Centre whereby advertisements are prominent within the immediate and wider surroundings. It should also be noted that this type of development can benefit from 'deemed consent' providing it complies with the criteria set out within Schedule 3, Part 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. The replacement and introduction of signage at the application site is therefore considered to respect the host building and the vicinity, and as such would be acceptable.

33. Impact upon Public Safety

34. Due to the locations, sizes and siting, the adverts are unlikely to pose any adverse impact upon the public amenity or safety aspects. The proposals do not obstruct any highway surveillance cameras, speed cameras or security cameras. The signs are also not considered to distract road users or highway safety by reason of their size, scale and location. Further, Highways have not raised any objection with regard to the proposals.

35. As such, the proposal is considered to be in accordance with the Contents of Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

36. Climate Impact and Sustainability

37. 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.

38. 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.

39. The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2, and DM3 of the adopted 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 limit impacts on climate emissions as a result of the development or its use.

40. Equalities Implications:

41. 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.

42. 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.

43. Conclusion

44. The proposals are considered to be acceptable and are therefore recommended for approval subject to conditions laid out above.

