

# DELEGATED OFFICER REPORT

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Site Address: 158A Stakes Hill Road, Waterloooville, PO7 7BS  
Proposal: Display of 1No illuminated Nisa Vinyl Fascia sign on front elevation and 1No illuminated Nisa Vinyl Fascia on side elevation. Installation of 4No. mock windows display of 4mm clear polycarbonate panel with internally applied full colour vinyl graphic in extruded aluminium frame and associated vinyl display and car parking signs.  
Application Type: Advertisement  
Application No: APP/24/00537 Expiry Date: 19/09/2024  
Applicant: Mr Patel  
Agent: Mr Knight Case Officer: Kayleigh Taylor  
Knight Consulting  
Ward: Stakes

Recommendation: **GRANT ADVERTISEMENT CONSENT**

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## 1 Site Description

The application site comprises a detached part 2 storey, part single storey building which had previously been used as a Dentist, located on the corner at the junction of Philip Road and Stakes Hill Road in Waterloooville. The building fronts Stakes Hill Road and parking provision to the rear is accessed from Philip Road.

The building has been converted to a shop at ground floor level. The applicant applied under APP/24/00541 for prior approval for mixed use of the building. However, as works had commenced the prior approval application was refused. Advertisement consent is separate to planning permission and the lawful use of the land is not material to the consideration for this application. Notwithstanding this, the former use of the building as a dentist falls within Use Class E(e), the new use as a retail unit falls within Use Class E(a). Article 3(1) of the Use Classes Order establishes that the use of a building for any other purpose in the same class shall not involve development of the land. It is therefore considered that the site can lawfully be used as a shop.

## 2 Planning History

99/50538/002 - Provision of ATM (cash point) machine to east elevation, REF,24/02/2000  
99/50538/003 - Provision of projecting sign to east elevation, at first floor level, REF,24/02/2000  
97/50538/000 - Shopfront alterations, internal alterations and single story infill extension to rear., PERM,27/02/1998  
97/50538/001 - 1 no. internally illuminated fascia sign to front elevation and 1 no. internally illuminated projecting sign to side elevation and 1 non-illuminated sign to rear elevation, PERM,27/02/1998  
08/50538/004 - Demolition of existing building; erection of 3No. 1 bed flats (3 storey) and 2No. 3 bed semi-detached houses (2 storey.), WD,02/10/2008  
08/50538/005 - Change of use of the premises from A1/C3 use class (retail/residential) to a dental surgery (use class D1)., PERM,16/12/2008  
08/50538/006 - To re-instate existing windows and install new windows at the premises., PERM,20/01/2009  
09/50538/007 - Discharge of Condition No. 2 of Planning Permission 08/50538/005.,

PERM,12/03/2009

APP/24/00541 - Prior Approval for development consisting of a change of use from Commercial, Business and Service (Use Class E) to mixed use (Use Class E and Use Class C3 (1no. 2 bed flat)). REF 18/09/2024.

### **Proposal**

Display of 1No illuminated Nisa Vinyl Fascia sign on front elevation and 1No illuminated Nisa Vinyl Fascia on side elevation. Installation of 4No. mock windows display of 4mm clear polycarbonate panel with internally applied full colour vinyl graphic in extruded aluminium frame and associated vinyl display and car parking signs.

*Officer note: During the course of the application, the adverts were installed and thus this is a retrospective application.*

## **4 Policy Considerations**

National Planning Policy Framework  
The Town and Country Planning (Control of Advertisements) Regulations 2007

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

DM21 (Shopfronts, Signs, Security Shutters and Advertisements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## **5 Statutory and Non Statutory Consultations**

**Councillor Elizabeth (formerly Dianne) Lloyd**

No comments received.

**Councillor S Milne**

No comments received.

**Councillor Simon Hagan**

No comments received.

**Environment Agency**

No comments received.

**Hampshire Highways**

Original comments

In regard to application APP/24/00537, the Highway Authority are satisfied that the proposed illuminated signs will not result in a detrimental impact on the operation and safety of the highway network and would therefore recommend - No objection subject to condition.

Condition

The illumination of the consented sign(s) shall be no greater than 600 candela per

square metres and no light source shall be visible from the highway.  
Reason: In the interests of highway safety/amenity.

*Further comments following submission of amended plans and amended description*  
The Highway Authority provided comments dated 14 August 2024 and these comments are still applicable following the revised information.

## 6 **Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 9

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 1

| Comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Officer Comment                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <p>I object to the element concerning the installation of mock windows on the grounds of harm to visual amenity, namely that the proposal doesn't fit with the character, feel and function of the area resulting in a cluttered appearance on the individual building and upon the streetscene as a whole, contrary to the Havant Local Plan (2014), policy DM21.</p> <p>Additionally, the applications states "full colour vinyl graphic", the viability of these "windows" to be used for specific product advertising should the application be approved must be queried.</p> <p>The mock windows are de-facto advertising, positioned at a busy school crossing, and including an alcohol display. The council has an obligation to protect children and young people from exposure to alcohol marketing which is being proposed in this application, and to 'de-normalise' alcohol products.</p> | <p>Discussed in section 7.</p> <p>The actual content and of the advertisement is not a material consideration.</p> |

## 7 **Planning Considerations**

7.1 Applications for the display of advertisements can only be considered in relation to the interests of amenity and public safety, having regard to the development plan and any material considerations. It is considered that the main issues arising from this application are:

- (i) Visual amenity
- (ii) Highway safety
- (iii) Effect upon residential amenity

(i) Visual amenity

7.2 Policy DM21 requires signs to be appropriate in size, scale and design to the character of the building and surroundings and not result in light pollution. The application site is located in a prominent corner position and is located in an area that is predominantly residential.

7.3 The proposed fascias would have an acceptable size and appearance. The Institute of Lighting Professionals guide to brightness recommends a maximum of 600 cd/m<sup>2</sup> for suburban sites such as this. The lighting to the fascias on the front and side elevations would be via a trough light above and would have a brightness of 100 cd/m<sup>2</sup>.

7.4 During the course of the application the adverts were erected and amended plans were submitted. An officer site visit was undertaken after the installation of the adverts and officers negotiated the removal of a dibond panel from the planter to the front of the shop. Following this removal, officers consider that the proposal does not result in an unacceptable level of visual clutter. It is noted that a third party has objected to the mock windows, officers carefully considered the scale and siting of these and are satisfied that all the adverts are considered to be appropriate to the host building and character of the area.

7.3 It is considered the proposal will not have an adverse effect on the visual amenity of the immediate locality. It is deemed the proposal covers the requirements of policy DM21 of the HBLP (Allocations).

(ii) Highway safety

7.4 The proposed signs would be positioned such that they would not represent a negative impact upon highways safety for pedestrians or road users. The Highway Authority were consulted on the application and raised no concerns in respect of the proposal, subject to condition to restrict illumination.

(iii) Effect on residential amenity

7.5 The lighting to the fascias on the front and side elevation would be via a trough light above and this would effectively make it a downlight only, thus minimising any light spillage. The lighting levels are considered appropriate to the location and the hours of illumination can be controlled via condition. In addition there are publicly maintained street lights close to the site which will lessen any potential and/or perceived impact from the proposed illumination level. Overall the proposal would not be expected to have a significant negative impact upon neighbouring residential amenity and would be compliant with policy DM10 which seeks to protect neighbouring amenity from pollution, including light.

## 8. Conclusion

- 8.1 The proposed signs are considered to be acceptable and the application is therefore recommended for advertisement consent.

## 9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT ADVERTISEMENT CONSENT** application APP/24/00537 subject to the following conditions

- 1 (a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (b) No advertisement shall be sited or displayed so as to:
- (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- (e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**Reason:** As required by the provision of the Town & Country Planning (Control of Advertisements) Regulations 2007.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

KC 01 A PP REV. A LOCATION AND PROPOSED FLOOR PLAN

Uploaded 15/10/24

KC 03 A PP REV. C PROPOSED ELEVATIONS (AMENDED)

Uploaded 15/10/24

AMENDED ADVERTISEMENT STATEMENT Uploaded 15/10/24

**Reason:** - To ensure provision of a satisfactory development.

- 3 The intensity of illumination of either of the illuminated fascias hereby granted Advertisement Consent, shall not exceed 600 candelas per square metre and no light source shall be visible from the highway.

**Reason:** In the interests of the amenities of the area and highway safety having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM21 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework..

- 4 The advertisements hereby granted Advertisement Consent shall only be illuminated during the times that the premises is open for business.  
**Reason:** To prevent light pollution and in the interests of the amenities of nearby residential properties having due regard to policy DM10 of the Havant Borough Local Plan (Core strategy) 2011 and the National Planning Policy Framework.