DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H04-0440-22** | **Applicant:** | **Mr M Allen** |
| **Proposal:** | Proposed Signage | | |
| **Location:** | East Of Church Street And South Of Bicker Road Donington | | |
| **Terminal Date:** | 22nd June 2022 | | |

## Planning Policies

**South East Lincolnshire Local Plan - Adopted: March 2019**

| | |
|---|---|
| 01 | Spatial Strategy |
| 02 | Development Management |
| 03 | Design of New Development |
| 30 | Pollution |

**National Guidance**

**National Planning Policy Framework 2021**

12 - Achieving well-designed places.
15 - Conserving and enhancing the natural environment.

## Representations:

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| PARISH COUNCIL | 0 | 0 | 0 | 0 |
| WARD MEMBER | 0 | 0 | 0 | 1 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |

## CASE OFFICER ASSESSMENT

### PROPOSAL

This is an retrospective advertisement consent application for the siting of 2 fascia signs at East of Church Street and South of Bicker Road for the new Co-op supermarket . The proposal seeks to provide a sign on the western frontage elevation, and a sign on the northern side elevation. The signage will have acrylic faces and be illuminated via white LEDs.

The sign on the front elevation projects 0.75 metres from the wall, and is face illuminated with letters on rails, stating "The co-operative food". The sign measures 0.596 metres in depth and 5.207 metres in width. The sign will be sited 3.05 metres above ground level.

The sign on the side elevation projects 0.75 metres from the wall, and is face illuminated with letters on rails, stating "The co-operative food". The sign measures 0.717 metres in depth and 6.305 metres in width. The sign will be sited 3.2 metres above ground level.

## SITE DESCRIPTION

The site is within the defined settlement limits of Donington. The surrounding area is characterised by buildings of varying designs to the north and south of the A52. The proposal site in Environment Agency Flood Zone 1 and is not subject to increase flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

## HISTORY

H04-0807-18

Outline - Proposed residential development - up to 8 dwellings (including access) - Approved - 05 November 2018.

H04-0208-20

Full - Erection of 2 retail units, car park, landscaping and associated works including demolition of existing buildings. Revised Planning Noise Assessment - Approved - 16 November 2020.

H04-1086-20

Section 73 Modification - Erection of 2 retail units, car park, landscaping and associated works including demolition of existing buildings - approved under H04-0208-20. Modification of Conditions 3 & 4 relating to hours of delivery and despatch and opening hours - Approved - 23 January 2021.

H04-0406-21

Non-Material Amendment - Erection of 2 retail units, car park, landscaping and associated works including demolition of existing buildings - approved under H04-1086-20. Minor amendments to car park configuration - Approved - 17 May 2021.

H04-0547-21

Condition Compliance - Details of archaeological investigation, foul & surface water disposal, existing & proposed site levels, external materials and construction management (Conditions 6, 9, 11, 12 & 13 of H04-0208-20) - Approved - 28 June 2021.

H04-0242-22

Condition Compliance - Details of final report relating to archaeology (Condition 8 of H04-0208-20) - Approved - 10 March 2022.

## CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

Councillor Walsh

Informs that the signage is retrospective.

## PLANNING CONSIDERATIONS

In accordance with paragraph 136 of the National Planning Policy Framework, 2021, the main

issues in this case are amenity and highway/public safety, taking account of cumulative impacts.

Amenity

The relevant policies in this case are Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 2 sets the expectations that new development should reflect the principles of good design. Policy 3 indicates that development will demonstrate how the following issues, where they are relevant to the proposal, will be secured inter alia, by:

1. creating a sense of place by complementing and enhancing designated and non-designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;

3. the landscape character of the location;

6. the lighting of public places;

10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;

11. residential amenity.

Policy 30 is also of relevance. It states that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:

1. health and safety of the public;
2. the amenities of the area; or
3. the natural, historic and built environment;
by way of:
4. air quality, including fumes and odour;
5. noise including vibration;
6. light levels.

The proposal seeks to provide a sign on the western frontage elevation, and a sign on the northern side elevation. The signage will have acrylic faces and be illuminated via white LEDs.

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The signage is of a size and siting that is not uncommon when compared to the other medium sized commercial properties in the area.

Because the signage on the front is 65 metres from 50 Church Street, and the side elevation signage is approximately 45 metres from the the terraced row at 2 to 12 Bicker Road, there is not considered to be material light pollution generated by this proposal.

The proposal is therefore in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway/Public Safety

The design is not garish and does not impact highway safety when proximity and distraction are considered. The Highway Authority have no objections to the proposal.

The proposal accords with the South East Lincolnshire Local Plan, 2019 and advice within

paragraph 136 of the National Planning Policy Framework, 2021 in terms of highway safety.

## PLANNING BALANCE

The proposed signage is acceptable on amenity and highway/public safety grounds. It accords with Policy 2, 3 and 30 of the SELLP and paragraph 136 of the National Planning Policy Framework, 2021. There are no issues that outweigh factors in favour of the proposal.

## CONCLUSION

For the reasons above it is considered that the signage is acceptable and in accordance with Policies 2, 3 and 30 of the SELLP and the intentions of the NPPF 2021.

The recommendation is therefore that advertisement consent is granted.

## Additional Considerations

### Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

### Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.