DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0080-21**	**Applicant:**	**Tesco**
Proposal:	Signage - 1 LCD screen and 2 flag pole signs (retrospective)		
Location:	Tesco Stores Ltd Boston Road South Holbeach		
Terminal Date:	23rd March 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network

National Guidance

National Planning Policy Framework 2019

Sections 9, 12 and 14

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Advertisement consent is sought for 1 LCD screen and 2 flag pole signs related to an electric car (EV) charging point on site (retrospective).

Site Description

The premises are located on the eastern side of Boston Road South, with vehicular access off the

latter. They are presently occupied by a Tesco's store, plus associated car parking. Carter's Park is situated to the east beyond fencing and commercial premises to the south-west. Further car parking is located to the south.

Planning History

None relevant to this application.

Consultation Responses

Holbeach Parish Council - Supported.

Cllr. F. Biggadike - Supported.

LCC Highways/SUDs - Does not wish to restrict the grant of permission

Planning Considerations

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

Amenity

The proposal is for 1 LCD screen and 2 flag pole signs related to an electric car (EV) charging point on site. The signage is low key and considered to be a neutral form of development. It would not materially harm the visual amenities of the locality.

The LCD would be illuminated. However, it is subtle and would not materially harm the amenity of the neighbourhood.

The proposal is in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019

Highway/Public Safety

The proposal is for one LCD screen and two flag pole signs and it does not have a significant impact on the public highway. LCC Highways does not wish to restrict the grant of permission on highway/public safety grounds.

The proposal accords with Policy 2 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety.

Planning Balance

The proposed signage relates to a sustainable mode of transport and is acceptable on amenity and highway/public safety grounds. It accords with Policy 2 of the SELLP and paragraph 132 of the National Planning Policy Framework, 2019. There are no issues that outweigh factors in favour of the proposal

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.

Recommendation

That the application be approved under delegated powers.