

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0638-24 **Applicant:** Lincolnshire County Council

Proposal: Siting of 1 V Sign and 3 Small Hoarding Signs

Location: Plot 2 The Hub Cibus Way Holbeach

Terminal Date: 3rd October 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
33 Delivering a More Sustainable Transport Network

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed and beautiful places

Representations:

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

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks advertisement consent for the erection of one "V" sign and three hoarding signs relating to the Food Enterprise Zone (FEZ), Holbeach.

The hoarding signs would be located along the A17, to the north-east of the FEZ. The hoarding

signs would be set on two 5000mm poles, with the 1220mm panel set at 3000mm above ground level. The maximum width of the advertisement would be 2440mm. These would be constructed of aluminium composite panels with bubble free vinyl and a matt laminate finish.

The "V" sign would be located to the south of the FEZ, at the A151 roundabout leading to the site. The advertisement would be comprised of eight panels, all 1220mm by 2440mm, arranged in two grid formations. The maximum height of this sign would be 5000mm. The materials of the "V" would be consistent with that of the hoarding. The sign would be illuminated via an external light, set at 300cd/metre squared.

Site Description

The site is outside of any settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, with the V sign and hoarding positioned approximately 50 and 250 metres outside of Holbeach respectively. The advertisements would be located along existing main roads, both of which are heavily trafficked. The "V" sign displays a strong relationship with the FEZ.

Relevant History

H09-1169-15. REG 3. Road improvement scheme to incorporate 2 new roundabouts (A151 and A151/A17 junction, road widening, re-contouring of ground levels, stopping up of Northons Lane and other minor access ways, site compound/construction and storage areas and associated landscaping, drainage and other works. 11/01/16.

H09-0771-16. OUTLINE. Proposed Centre of Excellence in Agri Food with associated roads, car parking and landscaping. Approved. 08-11-16.

H09-0230-18. RESERVED MATTERS. Proposed Centre of Excellence in Agri-Food with associated roads, car parking and landscaping - outline H09-0771-16. Approved. 13-04-18.

H09-0934-19. RESERVED MATTERS. Reserved Matters to Local Development Order in relation to construction of additional road to facilitate future development of Phase 1. Approved 21/10/19.

H09-0661-20. ADV. CONSENT. Proposed signage on south and north elevation of building. Approved 17-09-20.

H09-0057-21 - S73. Proposed centre of excellence in Agri-Food with associated roads, car parking & landscaping - approved under H09-0230-18. Modification of Condition 1 to allow amendments to previously approved plans. Approved 12-04-21.

H09-0332-21 - ADV. CONSENT. Install and display 4 non-illuminated roundabout sponsorship signs. Approved 14/05/21.

H09-1119-22. RESERVED MATTERS. Erection of 12 commercial units with associated access road and parking spaces. Approved 27/02/24.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

Initial comments received 3rd September:

"Additional information required: How far back from the carriageway edge will the hoarding sign be located off the A17?"

Revised comments received 26th September:

"No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not

be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments: The proposal is for the Siting of 1 V Sign and 3 Small Hoarding Signs. The signs are located in land owned by Lincolnshire County Council the signs located off the A17 are set well back within field and will not have a detrimental impact on the public highway. I am happy that the position of the V sign will not have a detrimental impact on the public highway - it will not obstruct visibility at the roundabout."

Holbeach Parish Council

Support - no comments

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The adopted South-East Lincolnshire Local Plan 2011-2036 (SELLP), adopted March 2019, is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2023 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF "Achieving well-designed and beautiful places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Paragraph 141 of the NPPF states that "The quality and character of places can suffer when advertisements are poorly sited and designed".

The proposal features a muted colour pallet, which reduces the visual impact of the design and

ensures greater cohesion with the character of the area. The overall design is consistent with existing advertisements on the site, further ensuring visual continuity. Due to the relatively low lying nature of the proposal, coupled with the typicality of the proposal, the proposal is not considered to represent significant visual intrusion within the countryside.

The proposed materials are considered to be appropriate for the purpose and the aesthetic character of the area. The use of sheet metal is typical of roadside hoardings.

The level of illumination proposed is relatively low, further reducing the visual impacts of the proposal. The proposed use of illumination is appropriate, given the surroundings and the character of the wider area.

Taking account of the design, scale, and nature of the advertisement, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character and appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As the advertisements would be located on the roadside, outside of any settlement, it is not considered that the proposal would result in any significant amenity impacts.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

While the hoarding signs are located next to a major highway, it is not considered that they would have a significant detrimental impact upon highway safety due to their scale and set back position. The level of illumination proposed would not adversely impact highway safety.

The proposed "V" sign would be positioned appropriately to ensure no views of the roundabout are obscured. This, coupled with the low level of illumination, would prevent any significant highway impacts.

The comments from the Highway Authority have reaffirmed that the signage would have no detrimental impact on the public highway and would not impact upon visibility.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, and 33 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

As stated above, Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole. The signage would have no significant impact upon highway safety.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 2, 3, and 33 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.