

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H11-0302-20 **Applicant:** KBeverage Ltd
Proposal: Proposed Signage
Location: Starbucks Main Road Filling Station Wisbech Road
Terminal Date: 17th June 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
30 Pollution

National Guidance

National Planning Policy Framework 2019

Section 12

PPG (Advertisements)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Advertisement consent is sought for signage, including an order point canopy and clearance bar.

Site Description

The site is located on petrol filling premises within the north-western quadrant off the A17/Wisbech roundabout.

A Travelodge motel is situated to the north and a cafe (Benny's Diner) to the west. The A17 is located to the south.

Relevant Planning History

H11-0354-19 - Full - Erection of a coffee shop with drive-thru and associated works - Granted 29 May 2019

H11-0860-19 - C/C - Details of external cladding, landscaping & scheme to deal with contamination (Conditions 3, 4 & 5 of H11-0354-19) - Approved 24 October 2019

H11-0897-19 - Re-location of existing BP PID sign and erection of new Starbucks totem sign - Granted 29 October 2019

Consultation Responses

Long Sutton Parish Council - No response received

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.

Amenity

The proposal is for various types of signage typically associated with drive through coffee shops. They include 4 no. fascia signs, 2 no. directional signs, 1 no. monument, 2 menu boards, an order point canopy and a clearance bar. The signage is typical of a drive through coffee shop such as this and is considered to be a neutral form of development. It would not materially harm the visual amenities of the locality, either individually or cumulatively.

The majority of the signs would be internally illuminated. However, it is subtle and would not materially harm the amenity of the neighbourhood, including persons using the nearby Travelodge.

The proposal is in accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019

Highway/Public Safety

The proposed signage essentially assists customers within the premises. A larger totem sign has previously been permitted by virtue of H11-0897-19. LCC Highways does not wish to restrict the grant of permission on highway safety grounds.

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

Conclusion

The proposed signage is acceptable on amenity and highway/public safety grounds and accords with development plan policy. It is therefore recommended that the application be approved under delegated powers.

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.