DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0897-19**	**Applicant:**	**Motor Fuel Group**
Proposal:	Re-location of existing BP PID sign and erection of new Starbucks totem sign.		
Location:	Main Road Filling Station Wisbech Road Long Sutton		
Terminal Date:	1st November 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Planning Practice Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Advertisement consent is required to re-locate an existing BP PID sign (height 5.5m) and erect a new Starbucks sign (height 9 metres). Both would be internally illuminated.

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

Consultation Responses

Long Sutton Parish Council - No objections.

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

South Holland Internal Drainage Board - No objections. Outside 9m zone.

Planning Considerations

The main issues in this case are amenity and highway/public safety.

Amenity

The proposal is to re-locate an existing BP internally lit PID sign and erect a new Starbucks sign. Both signs are typical of the brand and are considered to be satisfactory in terms of design/appearance. They would not materially harm the amenity of the neighbourhood.

Highway/Public Safety

Both signs are visible from but set back from the A17. LCC Highways does not wish to restrict the grant of permission on highway safety grounds.

Conclusion

The proposed signage is acceptable on amenity and highway/public safety grounds.

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.