

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0162-20 **Applicant:** McDonalds Restaurants Ltd

Proposal: Proposed Signage

Location: Mcdonalds Restaurants Ltd Holbeach Road Spalding

Terminal Date: 14th April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development
Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This planning application seeks advertisement consent for proposed signage at McDonald's Restaurant, Holbeach Road, Spalding.

Site Description

The site is on the edge of the built-up area of Spalding to the north-east. It is off the roundabout between Holbeach Road/A151 (east to west) and A16 (north to south). The access is from Holbeach Road/A151. There is a grassed buffer zone with drains onto the roundabout.

The site has a McDonald's restaurant and associated development such as drive thru' and car parking area. Lincolnshire Co-op Springfields Filling Station is adjacent to the north-west.

History

H16-0772-16 - Proposed extensions and alterations - Approved

H16-1152-16 - Proposed unrestricted trading operation - Approved

H16-0928-12 - Reconfiguration of the car park to allow for a minor alteration to the drive thru to provide side by side order point, incorporating a new island for signage. The relocation of one booth to accommodate new drive thru layout - Approved

H16-0929-12 - Installation of two Customer Order Displays (COD) and associated canopies. Reconfigured signage suite with additional signs - Approved

H16-0416-11 - Modification of Condition 18 of H16-1314-97 to allow restaurant to open between 5am and midnight seven days a week - Approved

H16-0126-10 - Refurbishment of restaurant and patio area, changes to elevations and reconfiguration of car parking - Approved

H16-0957-09 - Installation of customer order display and canopy - Approved

H16-1314-97 - Erect petrol station, fastfood drive thru' restaurant with associated works including access - Approved

Consultation Responses

None.

Planning Considerations

Principle of development

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that a local planning authority shall exercise its powers under the Regulations in the interests of amenity and public safety, taking into account;

- a) The provisions of the development plan, so far as they are material; and
- b) Any other relevant factors

It goes on to state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Paragraph 132 of National Planning Policy Framework (NPPF), 2019 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Therefore, the principle of development is acceptable unless other materials considerations indicate otherwise. The key issues of the proposal are addressed below.

Design and layout

3 no. double digital menu boards will be erected on the edges of the drive thru lane. They will consist of grey PPC aluminium panels with colour digital display to front face. Their dimensions will be 1.42 metres in height, 1.64 metres in width and 10 centimetres in depth. 600 cd/m² internal illumination will be provided in each board.

1 no. single digital menu board is also proposed off the drive thru lane. The dimensions and features will be similar to those of the double boards.

1 no. digital booth screen will be located at the till point. It will be PPC Aluminium shroud finished in RAL 7022 Grey with clear perspex front 15" LCD display screen. It will be 25 centimetres high, 32 centimetres wide and nearly 1 centimetre thick. The maximum illumination will be 1600cd/m².

The scale, materials and appearance of the proposed signage are in keeping with the built environment in the surroundings. Each advertisement is fit-for-purpose. The illumination is deemed acceptable for each type of signage.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019 as well as Section 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via 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.