

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0214-23 **Applicant:** Pets at Home
Proposal: Proposed Signage
Location: Unit D & D2 Winfrey Avenue Spalding
Terminal Date: 3rd May 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
30 Pollution

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for signage at units D and E Winfrey Avenue. The signs will be located on the principle, rear and west elevations as well as an additional sign on a totem 75 metres to the north of the property. There will be eight designs in total, occupying ten spaces.

Site Description

The retail units are currently vacant and were formally occupied by Marks & Spencer Simply Food (unit D) and The Carphone Warehouse respectively (unit E). The units have been joined and are to be occupied by Pets at Home.

The site is within the town centre of Spalding, as outlined on the inset maps of the South-East Lincolnshire Local Plan, 2019 (SELLP). The area is within a retail park, with a neighbouring retail park to the west. A car park of significant size is located to the north of the units.

Relevant History

H16-0221-23 - Advertisement. Two off Fascia Mounted Digital Screens. Ongoing.

H16-0732-22 - Full. External alterations to front elevation of units D and E and internal alterations. 09/08/22.

H16-0702-22 - Full. Use of units into single unit for Pets at Home for retail store along with ancillary pet grooming salon and a Vets4Pets veterinary service. Approved 20/07/22.

H16-0705-15 - Advertisement. Replacement new brand metal fascia signs, remote car park totem signs, new metal delivery sign and small window plaque. Approved 28/09/15.

H16-1296-06 - Advertisement. Fascia signage, loading bay and advanced signage. Approved 20/10/06.

H16-0076-05 - Full. Installation of air conditioning louvre (retrospective). Approved 22/03/05.

H16-1419-04 - Advertisement. Five internally illuminated fascia signs and one totem sign. Approved 05/01/05.

H16-1458-03 - Full. Demolition of petrol filling station and erection of single-storey retail unit. Approved 09/02/94.

H16-0952-02 - Full. Alterations and extension to form 3 units and external garden centre. Approved 25/10/02.

H16-0695-85 - Full. Proposed petrol filling station. Approved 03/09/85.

H16-1204-84 - Full. Proposed retail store, car parking and petrol filling station. Approved 11/03/85

Consultation Responses

Highways and SUDS

"No objection. The proposed advertisement signs will have no impact upon the safe use of the adjacent public highway so the highway authority does not wish to object to the grant of Consent for this Application"

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP states 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.

The commercial nature of the area means that the street is already scattered with comparable advertisements. Therefore, the concept of the advertisement will not cause discrepancy with the local character.

The muted colour pallet creates little contrast with the setting, instead helping it to meld in. The internal illuminations are bright enough to catch the eye, without making the signs the focal point of its surroundings. Therefore, the signs are in keeping with the area.

The size of the advertisements is not considered excessive compared to its surroundings. They are

proportional to the unit they are located on and comparable to those located at adjacent stores.

Taking the above into account, the proposed advertisement is deemed to comply with policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2021 in terms of layout, design, size and scale.

Impacts Upon Resident Amenity

Given the position of the signage, the town centre location, and proposed illumination levels, it is not considered that any unacceptable impact would result in neighbouring amenity.

As such the proposal would accord with Policies 2 and 3 of SELLP.

Highway/Public Safety

The relevant consultee from the Highways Department raised no objections to the proposals on safety terms. The works are small in nature and in line with what is to be expected within the area.

The proposal therefore conforms to public safety requirements outlined throughout the SELLP.

Planning Balance

The proposal does not materially harm the character or appearance of the locality, amenity of nearby residents or highway safety. For the reasons listed above, this application is considered to be in accordance with Policies 2, 3 and 30 of the SELLP as well as the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and NPPF. Therefore, it is recommended that this application be approved.

Conclusion

The recommendation is for delegated approval.

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.