

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0699-21 **Applicant:** Poundland Ltd.

Proposal: Proposed Signage

Location: B And M Stores Ltd Winsover Centre 14 - 16 Winsover Road

Terminal Date: 24th August 2021

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 2019

NPPF 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
SPALDING AND DISTRICT CIVIC SOCIETY	1	0	0	0
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is to seek advertisement consent for proposed signage to the B&M store at Winsover Centre, Spalding.

Site Description

The site is located within the town centre of Spalding and was formerly occupied by a B&M store. A Lidl store sits to the east. There is a large car park to the north of the store and to the south there are a variety of independent small retail shops, including takeaways and newsagents.

History

No planning history relevant.

Consultation Responses

Spalding & District Civic Society objects:

- Highlights Policy 26 in the SELLP (2019) regarding the blanking out of shop windows with vinyl films. The dead frontage will have an affect on the footfall. Also contrary to Policy 3.

Local Highway and Lead Local Flood Authority:

- Does not wish to restrict the grant of permission.

Planning Considerations

The policy considerations relevant to this advertisement consent application are as below.

Paragraph 132 of the National Planning Policy Framework (2021) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy 2 (Development Management) of the South East Lincolnshire Local Plan (2019) (SELLP) sets out the expectation that new development should reflect the principles of good design.

Policy 3 (Design of New Development) of the SELLP requires development proposals to demonstrate how the following issues will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
6. the lighting of public places;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;

Policy 30 (Pollution) of the SELLP states that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:

1. health and safety of the public;
2. the amenities of the area; or
3. the natural, historic and built environment; by way of:
6. light levels

In this instance, Policy 26 is not considered to be directly relevant to this application as the store is not situated in the Primary Shopping Frontage within Spalding.

Highway safety

The Highway Authority have raised no objections to the proposed signage and, as such, it is not considered that the proposed signage would create a highway safety issue.

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

Amenity

The proposal is for various types of signage. They include an internally illuminated main fascia and internally applied window vinyls to the rear elevation. To the front elevation, 2 no. internally illuminated main fascias and signage on the automatic doors at the entrance. There will also be a non-illuminated main fascia at the delivery bay and a internally applied window vinyl to the automatic door.

The signage is typical of Poundland Stores and is considered to be an appropriate form of advertisement. There is currently existing vinyl along the rear elevation of the store along Winsover Road and the proposed vinyl would be no more detrimental, perhaps arguably better than the unattractive rear of stacked shelves being visible to passers by which would create no more of an active frontage than the vinyl.

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

The proposal is considered to satisfactorily accord with Policies 2 and 30 of the South East Lincolnshire Local Plan, 2019.

Planning Balance

The proposed signage is acceptable on amenity and highway/public safety grounds and satisfactorily accords with Policies 2, 3 and 30 in the SELLP, 2019.

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

It is therefore recommended that the application be approved under delegated powers.