

# Development Management Delegated Decision Report

B/21/0080



## SUMMARY OF APPLICATION

<b>Application Reference</b>	B/21/0080		
<b>Application Type</b>	Advertisement Consent		
<b>Proposal</b>	Advertisement consent for 1no. banner frame		
<b>Location</b>	Starbucks, Swineshead Road, Wyberton, Boston PE21 7JE		
<b>Applicant</b>	Mr Yadav, KBeverage Ltd		
<b>Agent</b>	Mr Lee Ironmonger, Architecture Design Limited		
<b>Received Date:</b>	24-Feb-2021	<b>Consultation Expiry Date:</b>	04-Apr-2021
<b>Valid Date:</b>	24-Feb-2021	<b>Statutory Expiry Date:</b>	21-Apr-2021
<b>Date of Site Visit:</b>	12-Mar-2021	<b>Extension of Time Date:</b>	----
<b>Objections received?</b>	No		
<b>5 day notification record:</b>	Not applicable		
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT Advertisement Consent		
<b>Report by:</b>	Grant Fixter		
<b>Date:</b>	06/04/2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site comprises a rectangular parcel of land which currently has an extant permission for a single storey drive-thru coffee shop including vehicular access, parking and associated works, which is due to be occupied by Starbucks. The site is within the settlement boundary and is in an area with mixed use. There are public houses north and east of the site, with residential dwellings further to the west.

### DETAILS OF PROPOSAL:

This proposal seeks Advertisement Consent for the installation of one banner frame.

The banner frame will be sited to the street frontage and display the typical Starbucks branding, with full details of the scheme shown on the following plans:

- 62.21/01.1 - Location and Block Plans;
- 62.21/02.1A - Site Plan;
- ##/SBS.U2 - Banner Frame.

### RELEVANT HISTORY:



- B/20/0470 - Advertisement consent for the installation of internally illuminated signs within the site comprising 4no Fascia Signs, 2no Directional Signs, 1no Totem Pole, 2no Menu Board – Approved on 21/01/21;
- B/20/0469 - Installation of 2no HVAC condensing units, order point canopy and clearance bar – Approved on 21/01/21;
- B/19/0519/CD2 - Application to have details approved relating to Condition 7 (Biodiversity) and C8 (Foul water scheme) of planning permission B/19/0519 (Construction of drive-thru coffee shop (Mixed Use Class A1/A3) including vehicular access, parking and associated works) – Approved on 29/10/2020;
- B/19/0519/CD1 - Application to have details approved relating to Condition 5 (Construction Management Plan) of planning permission B/19/0519 (Construction of drive-thru coffee shop (Mixed Use Class A1/A3) including vehicular access, parking and associated works) – Approved on 01/09/2020;
- B/19/0519 - Construction of drive-thru coffee shop (Mixed Use Class A1/A3) including vehicular access, parking and associated works – Approved on 09/06/2020.

## **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

### **South East Lincolnshire Local Plan (2011-2036)**

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 30: Pollution.

## **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

### **National Planning Policy Framework (2019)**

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 2: Achieving sustainable development;
- Section 4: Decision-making;
- Section 12: Achieving well-designed places.

### **The Town and Country Planning (Control of Advertisements) (England) Regulations 2007**

## **CONSULTATION RESPONSES:**

### Wyberton Parish Council

Have no objections.

### Lincolnshire County Council

Have no objections and made the following comments:

*“The proposal is for an advertisement within the site boundary and it does not have an impact on the Public Highway or Surface Water Flood Risk.”*

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

### **EVALUATION:**

The key considerations in regard to this application are:

- Public safety;
- Impact on amenity and the historic environment.

#### **Public safety**

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identify that factors relevant to public safety include the safety of people using the highway and whether the display of the advertisement is likely to:

- obscure or hinder the ready interpretation of any traffic sign;
- or hinder the operation of any security or surveillance device,
- or device for measuring the speed of vehicles.

The proposal is small scale in nature and comprises one banner frame to the street frontage. The banner frame will be less than 1.5m in height and is 4m wide. The proposal, therefore, will clearly not obscure traffic signs or surveillance devices. The Local Highway Authority also have no concerns on highway safety grounds.

The type and level of advertisement proposed is what you would expect from a unit such as this.

It is considered the proposal will not impact on the safety of highway users or members of the public. Furthermore, the proposed signage would not hinder security as the advertisements are small scale in nature and no hanging signs are proposed which can sometimes obscure visions of security devices.

#### **Impact on amenity and the historic environment**

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identify 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.

Policy 2 of the SELLP states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and orientation.

Policy 3 of the SELLP states all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

Policy 30 of the SELLP will not be permitted where proposals will have adverse impacts upon aspects such as the amenities of the area and the historic environment.

As previously stated, the level of advertisement is minor in nature and would not result in a dominant addition to the frontage or the wider area. It is considered that the proposal is consistent with other examples of modern commercial signage in the area.

The prospective building is unlisted and the site is not located within a conservation area. It does not form part of the setting of any listed building or conservation area. The application site is located in a recently developed area with a number of surrounding uses. Advertisements, therefore, are very common in the locality of the site and have a variety of designs.

It is, therefore, considered that the proposed advertisement will be in keeping with the general characteristics of the area.

### **CONCLUSION:**

It is considered that the proposals:

- are minor in scale and are in keeping with the general characteristics of the locality; will not impact on any features of historic, architectural, cultural or similar interest; and
- will not impact upon: the safety of highway users; or the operation of the town's CCTV cameras.

The proposal, therefore, complies with both local and national policy and is acceptable.

### **RECOMMENDATION:**

GRANT Advertisement Consent subject to the following condition(s) and reason:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
This consent expires after 5 years from the day consent was initially granted.	
<b>Reason:</b> Required to be imposed by Section 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.	
The development hereby permitted shall be carried out in strict accordance with the application received on 24/02/2021 and in accordance with the associated plans referenced: <ul style="list-style-type: none"><li>• 62.21/01.1 - Location and Block Plans;</li><li>• 62.21/02.1A - Site Plan;</li><li>• ##/SBS.U2 - Banner Frame.</li></ul>	

**Reason:** To ensure the development is undertaken in accordance with the approved details, and to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2011-2036), and guidance contained in the National Planning Policy Framework (February 2019).

(i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(ii) No advertisement shall be sited or displayed so as to—

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under this permission to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**Reason:** Standard conditions imposed by the Town and Country Planning (Control of Advertisement) Regulations 2007.

## INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

### STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.