DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0299-21**	**Applicant:**	**Mr Rahman**
Proposal:	Proposed Signage		
Location:	Chameli Tandoori 17 St Johns Street Holbeach		
Terminal Date:	23rd June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HOLBEACH & DISTRICT CIVIC SOCIETY	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This advertisement consent application is for new signage at Chameli Tandoori, 17 St John's Street,

Holbeach.

The proposal consists of 3 new signs, as follows;

1x 2mm aluminium with 50mm raised text reading "Chameli" halo illuminated, all other lettering is direct application vinyl (2400mm x 800mm) - mounted on the Northern elevation of the host property at a 1st floor height, outlooking the car park

1x 2mm aluminium with raised text reading "Chameli" internally illuminated, flower emblem direct application vinyl (1140mm x 900mm) - Mounted on the Northern side of the 1st floor central window on the Western elevation

1x 2mm aluminium panel with fret cut lettering internally illuminated reading "Tandoori Restaurant". Remainder of text to be direct application vinyl (1650mm x 900mm) - Mounted on the Southern side of the 1st floor central window on the Western elevation

Site Description

The host site appears to be a former residential property of a Victorian design, it is an unremarkable site and isn't a particularly contributively the character of the Holbeach Conservation Area, within which this site sits within, right on the areas southern border. The area itself is largely characterised by residential development and the Car Park to the North. Development is of a mix of eras and styles, but mostly matching the subject site - there are no listed or non-designated heritage assets within visual range of the site.

History

None relevant

Consultation Responses

Public consultation

1 letter of support was received from a member of the public, claiming that there was no issue with the proposed works)

Cllr Biggadike - Local Ward Member

Supports the application

Holbeach Parish Council

Supports the application

Lincolnshire County Council Lead Local Highways and Flood Authority

No objection

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of any designated or non-designated heritage assets (including the HCA) by this application. Whilst internal illumination is generally considered to be non-vernacular to most conservation area settings, it is understood that because this site sits at the boundary of the HCA and is largely characterised by the car park which it overlooks, an internally illuminated form of signage is not particularly impactful upon the general character of the separate retail area of the HCA or the general theme of this portion of the HCA.

Planning Balance

Whilst internal illumination is generally not considered acceptable within conservation area settings, it is considered that because this site is at the extreme of the HCA and overlooks a largely

unremarkable area in terms of character, the impact upon the immediate setting of some internal illumination with the proposed signage would not be harmful to the overall character of the HCA or the theme of the primary shopping frontage area

Conclusion

For the reasons listed above, it is determined that this application is in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019), as well as Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for 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.