DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0450-24**	**Applicant:**	**Mr V Odedra**
Proposal:	Proposed Signage on Building		
Location:	Novo Cosmetics Church Street Holbeach		
Terminal Date:	9th August 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
29	The Historic Environment
30	Pollution

National Guidance

National Planning Policy Framework 2023

National Planning Policy Framework (NPPF, December 2023)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 12: Achieving well-designed and beautiful places

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

Planning Practice Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks advertisement consent for the erection of proposed signage on the front elevation of the building, formally known as Novo Cosmetics in Holbeach.

The advertisement would comprise a primary fascia sign above the shopfront. This would comprise a typical 'Spar' store signage. Further advertisement signage is proposed within the shop window.

Site Description

The building, which was erected in the early 1970's and is of contemporary design, is located on the eastern side of Church Street and was formerly a library, and then a beauty clinic (now vacant). It is constructed in buff brickwork with a flat roof. The new vicarage is located to the north within landscaped grounds and thereafter All Saints Church (grade I listed), which is beyond a pair of bungalows. Residential properties are situated to the east off Vicarage Gardens. An attractive community building (The Reading Rooms) is situated to the south, which is classified as a non-designated heritage asset.

The site is within Holbeach Conservation Area but outside the defined town centre.

History

H09-0316-21 - Full - Change of use of former library to beauty clinic, including alterations - Approved 24.05.2021

H09-0423-24 - Full - Change of Use from Beauty Salon (Sui Generis) to Retail (E(a)) including alterations to front elevation of building - To be determined

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Holbeach Parish Council

Costa Coffee sign too large - reduction for less impact on surrounding area.

Conservation Officer

I wish to raise no objections to this proposal. The proposal site is within the conservation area, and the proposed details would typically be unacceptable in terms of materials within such a setting. However, in this instance, the nature of the host building itself is such that I do not consider it reasonable, nor befitting of the building itself to make an assessment of the proposed signage in favour of a more traditional appearance. The proposed design is not of a nature that is alien or inappropriate to a late C20th commercial building such as it is.

In accordance with the details within the application form, I would however display a preference toward powder-coated aluminium for the material of the main fascia.

LCC Highway and Lead Local Flood Authority

Recommendation: No objection.

The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety.

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

The proposal relates to the installation/erection of three fascia signs. Para 141 of the National Planning Policy Framework (December 2023) states "the quality and character of places can suffer when advertisements are poorly sited and designed", and also states that "advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

Accordingly, the proposal has been assessed on the basis of potential impact on amenity and public safety. This proposal is considered to be acceptable in principle and in accordance with Policy 1 of the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, and Section 12 of the National Planning Policy frameworks, subject to assessment against site specific criteria. These include the impact of the proposal on visual amenities, impact on the character or appearance of the area and impact on the highway.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2023), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December

2023) and require 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 proposal relates to the installation/erection of three fascia signs to the front elevation of the building. The first fascia sign proposed would be white and red with the wording SPAR, and would consist of vinyl-wrapped ACM and or powder coated aluminium. The height of the sign would be 0.6m with a total width of 9m, it would have a total depth of 0.2m. It would be 3.15m from the base of the advertisement to the ground. This sign would be externally illuminated with the illuminance levels being around 75cd/m squared.

The second sign would be green and white with the wording 'daily Deli' and would also consist of vinyl-wrapped ACM. The height of the sign would be 2.95m with a width of 1.85m and a depth of 0.1m.

The third fascia sign proposed would be white and red with the wording 'COSTA COFFEE' and would also consist of vinyl-wrapped ACM with the same height as the second sign consisting of 2.95m with a width of 1.85m and a depth of 0.1m.

All of the proposed signage is typical for the proposed use of the building. A variety of signage can be seen in the local area. The signs are not considered to cause an adverse impact to the character or appearance of the area, are appropriate for the characteristics and context to which they relate and would comprise detail consistent with signage associated with the business Spar.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2023).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed signage would not have an unacceptable impact on resident amenity. The building is well screened by large trees to the front, therefore limiting the impact the signs could have and as such that the signs do not appear overbearing and the illumination will not affect nearby properties.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2023), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Lincolnshire County Council Highways Authority were consulted on this application and raised no objection to the proposed signage, their comments are as follows 'The advertisement proposals will not present a danger or distraction for road users therefore the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to Highway Safety.' The LPA therefore take the view that the signs will cause no harm and therefore should not be refused on highway grounds.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

Heritage Matters

The National Planning Policy Framework (NPPF) (December 2023) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2023) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2023). Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced. In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

This site is situated within Holbeach Conservation Area and as such the Conservation Officer was consulted to ensure no harm would occur. No objections were raised through this consultation stating that 'I wish to raise no objections to this proposal. The proposal site is within the conservation area, and the proposed details would typically be unacceptable in terms of materials within such a setting. However, in this instance, the nature of the host building itself is such that I do not consider it reasonable, nor befitting of the building itself to make an assessment of the proposed signage in favour of a more traditional appearance. The proposed design is not of a nature that is alien or inappropriate to a late C20th commercial building such as it is. In accordance with the details within the application form, I would however display a preference toward powder-coated aluminium for the material of the main fascia.' Therefore, the proposal is acceptable and representative of the area.

Overall, the proposed advertisements is not considered to cause harm to the Conservation Area or nearby heritage assets.

The proposal is in accordance with Policy 29 of the South East Lincolnshire Local Plan (2019) and Section 16 of the National Planning Policy Framework (December 2023).

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as

amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and causes no unacceptable impact on the highway, whilst conforming with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2023) when viewed as a whole.

In this instance, there are no material considerations that weigh significantly against the proposal.

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

Taking into consideration these factors, the proposal is considered to comply with Policies 2, 3, and 29 of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2023). The are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.