DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0912-21**	**Applicant:**	**Mr R White**
Proposal:	Display of advertising signs upon existing premises - retrospective		
Location:	59 Vicarage Lane Long Sutton Spalding		
Terminal Date:	22nd October 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

PPG (Advertisements)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks advertisement consent for 1no fascia sign on the northern elevation

measuring 1.2 metres (height) x 5 metres (width), 2no totem signs to the north-east of the site standing at 1.8 metres in height and 2.5 metres in width and various signs on the fence.

Site Description

The application site comprises a large commercial building located on Vicarage Lane in Long Sutton. The site is located outside any settlement boundary and within the open countryside. To the west of the site is residential dwelling.

History

No relevant planning history.

Consultation Responses

Lincolnshire County Council Local Highways Authority

Does not wish to restrict the grant of permission.

Long Sutton Parish Council

The Council are pleased that the business is continuing to operate and provides another alternative for residents and visitors to visit.

South Holland Internal Drainage Board

There is an Adopted Watercourse adjacent to the eastern site boundary and the applicant has erected 2 signs within 9 metres of this watercourse. As such the applicant must apply to the Board for permission to relax bylaw 10. Any alterations to a watercourse will require consent from the Board Byelaw 4). If there are any riparian owned/maintained watercourses within or adjacent to the site boundary and the proposals involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Planning Considerations

Design and Impact on the character of the area

The proposed buildings signs are considered to be minor in appearance given their size in relation to the building/site. The size and number of signs is considered appropriate for the site and would not result in a cluttered street appearance.

the proposed signs on the fence do result in a somewhat cluttered appearance, however given the majority of the signs are relatively small in size and the fence is set back from the highway, these can on balance be accepted as they are not overly prominent in the street scene.

The proposal therefore accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Highway/Public Safety

The proposed signs would be non-illuminated and given their relatively low height and modest size they are not considered to result in any highway safety issues. In addition, Lincolnshire County Council Local Highways Authority has not raised any objection to the scheme as it does not consider the proposed advertisements to result in any unacceptable impact upon highway safety.

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

Other matters

There is an Adopted Watercourse adjacent to the eastern site boundary and the applicant has erected 2 signs within 9 metres of this watercourse. As such South Holland Internal Drainage Board has advised that the applicant must apply to the Board for permission to relax bylaw 10. An informative has been added to this effect.

Planning Balance

The proposed signage is acceptable on amenity and highway/public safety grounds. There are no issues that outweigh factors in favour of the proposal.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 2 and of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, 2021.

A delegated approval is considered to be appropriate.

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.

RECOMMENDATION

The application can be approved under delegated powers.