

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0709-22 **Applicant:** Fen House Dental Practice

Proposal: Proposed Signage

Location: Pinchbeck Dental Surgery Byeways 5 Market Way

Terminal Date: 20th April 2023

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
30	Pollution

National Guidance**National Planning Policy Framework 2021****National Planning Policy Framework (NPPF, 2021)**

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment

Town and Country Planning (Control of Advertisements) (England) Regulations 2007**Planning Practice Guidance****Representations:**

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

CASE OFFICER ASSESSMENT

Proposal

This advertisement consent application is for the display of 3 non-illuminated signage at Pinchbeck Dental Surgery.

The signage on site comprises of the following

- 2 non-illuminated fascia signs
- 1 Free standing post-mounted sign, located at the front of the grounds

Site Description

The application site is a detached two-storey building located on Market Way in Pinchbeck. The character of the immediate setting of the site is predominantly residential except for the site in question.

History

No relevant planning history.

Consultation Responses

Pinchbeck Parish Council

This application was reviewed by the relevant planning committee and was approved.

LCC Highways/SUDS

This proposal is for signage and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Planning Considerations

Amenity

Part 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that a Local Planning Authority shall exercise its powers in the interests of amenity which includes the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interest. Furthermore, paragraph 136 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed.

The character of the immediate setting of the site is predominantly residential except for the site in question. The overall level of advertisement and signage on the building is considered to be commensurate to its scale.

Overall, the proposal is considered to respect the character and appearance of the locality and would be acceptable in terms of amenity.

Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the

determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal does not materially harm the character or appearance of the locality, amenity of nearby residents or highway safety. For the reasons listed above, this application is considered to be in accordance with Policies 1, 2, 3, 28 and 30 of the South East Lincolnshire Local Plan (2019) as well as the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and National Planning Policy Framework (2021). Therefore, it is recommended that this application be approved.

Conclusion

Approve.

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.