

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0006-22 **Applicant:** WaffleOpolis Ltd.
Proposal: Fascia Signage, Projecting Sign & Window Graphics - retrospective
Location: Waffleopolis 2 Sheep Market Spalding
Terminal Date: 4th March 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
29 The Historic Environment
30 Pollution

National Guidance

National Planning Policy Framework 2021

12- Achieving well-designed places
16- Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks advertisement consent (retrospectively) for fascia signage, a projecting sign and window graphics at 2 Sheep Market, Spalding.

Site Description

The site lies within the Spalding Conservation Area, according to the SELLP (2019) and is generally bounded by commercial properties. The area is an established commercial urban area consisting of

a mixture of shops, office, leisure and residential uses taking the form of properties generally addressing the street frontage via shop fronts. Sheep Market is partly within the primary shopping area set out in the SELLP (2019).

History

H16-1105-21- Full- Approved 17-12-21- Change of use from a charity shop E(a) to a waffle house takeaway (Sui Generis).

Consultation Responses

Local Highway and Lead Local Flood Authority- Does not wish to restrict the grant of permission.

Planning Considerations

Design and Impact on the character of the area

There have been no concerns raised by any consultees or members of the public in regards to the signage that has been installed. Overall, on balance, the signs are considered to be acceptable for the site on the basis that they are not unduly prominent in the street scene when considered in the context of other signage and window graphics nearby (e.g. Nasza Biendronka, Spalding Market and Belvoir). The window graphics do not cover the whole window area and therefore views into the premises still remain.

The signage therefore accords with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 in design terms and in regard to impact on historic environment.

Impact on neighbouring amenity

Given the position of the sign, the town centre location and proposed illumination levels, it is not considered that any unacceptable impact would result in neighbouring amenity.

As such the proposal would accord with Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway/Public Safety

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

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

Planning Balance

The 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 signage is considered to 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, 2021.

On that basis, 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.