DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0202-20**	**Applicant:**	**Mr A Mehmood**
Proposal:	Fascia Sign (retrospective)		
Location:	Rustic 9 Winsover Road Spalding		
Terminal Date:	1st May 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management

National Guidance

National Planning Policy Framework 2019

Paragraph 132 of the National Planning Policy Framework, 2019.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an retrospective advertisement consent application for a fascia sign at Rustic, 9 Winsover Road, Spalding. The sign is 1.8 metres in height and 3.4 metres in width. The bottom of the sign is sited 3.3 metres above the ground. The illumination is static and external.

Site Description

The site is within the defined settlement limits of Spalding which is the largest settlement in the district. The surrounding area is characterised by buildings of varying ages and design that house a variety of commercial uses.

Relevant history

H16-0812-97

Full - Change of use to A3 (Food and Drink) - Approved - 30 September 1997

H16-1258-97

Advertisement - Fascia sign to shop front including illuminated sign - Approved - 09 January 1998

H16-0408-98

Condition Compliance - Details of extraction and arrestment of fumes (Condition 3 of application H16-0812-97) - Approved - 19 May 1998

H16-1115-01

Full - Extension to provide additional restaurant accommodation - Approved - 18 October 2001

Consultation Responses

LCC - County Highways & SUDS Officer

No objections

Planning Considerations

Impact on amenity

There is not considered to be an impact on neighbouring business amenity The signage is of an acceptable size and is sited an appropriate distance from the highway.

Highway safety

There is not considered to be a material impact on highway safety. The signage is appropriately illuminated and is not considered to distract the users of the adjacent highway.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and Paragraph 132 of the National Planning Policy Framework, 2019.

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.