DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0249-23**	**Applicant:**	**Mr Blackburn**
Proposal:	Proposed main fascia sign, projection sign and set of acrylic letters		
Location:	7 Market Place Spalding		
Terminal Date:	17th May 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
26	Primary Shopping Frontages
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for the addition of three pieces of advertisement to 7 Market Place, Spalding. The advertisements proposed are:

-one fascia sign measuring 0.97 metres (height) by 7.2 metres (width) made from aluminium and vinyl. The sign is to be blue, with white and green lettering.

-one fascia sign measuring 0.21 metres (height) by 1.35 metres (width) made from white acrylic.

-one hanging sign measuring 0.85 metres by 0.85 metres made from aluminium and vinyl. The sign is to be blue with white and green lettering.

Site Description

The unit is within Spalding town centres and forms part of the Primary Shop Frontage outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP). It lies to the east of the "Hole in the Wall", opposite the White Hart hotel. It is situated within the Spalding Conservation Area.

The unit itself is comprised of a ground floor retail unit, of typical design for the area. The building itself is a brown brick structure, with white timber frames of comparable age to the wider market place.

Relevant History

H16-0136-04 - Full. Installation of new shop front. Approved 23/04/04.

H16-0505-03 - Condition Compliance. Details of Archaeological Impact Assessment and Mitigation Strategy (Condition 3 of H16/0684/01). Approved 30/05/03.

H16-0340-03 - Condition Compliance. Details of archaeological impact assessment and mitigation strategy (Condition 3 of H16/0684/01). Approved 09/05/03.

H16-0046-03 - Condition Compliance. Details of external materials wall, roofs, doors and windows (Condition 2 of H16/0684/01). Approved 12/02/23.

H16-1316-02 - Condition Compliance. Details of contract for carrying out of works (Condition 2 of H16/0683/01). Approved 12/02/03.

H16-0684-01 - Full. Extension to retail shop. Approved 30/07/01.

H16-1302-00 - Advertisement. Front elevation fascia sign and tiled walls to below faces. Approved 15/12/00.

H16-0556-98 - Advertisement. Replacement fascia with illuminated box and logo signs. Approved 15/07/98.

Consultation Responses

SHDC Conservation and Heritage Officer

"Whilst the site is located in a central conservation area location, the proposal is constructed using heritage-appropriate materials, utilising a colour scheme that is relatively muted and within the company's livery. Furthermore, it is appreciated that the proposal does not include internal illumination. I, therefore, wish to raise no objections."

Highway and Lead Local Flood Authority

"No objection. The proposed signs to be erected on the front of these retail premises would not be expected to have any unacceptable impact upon highway safety and the highway authority does not therefore wish to object to the grant of Consent for this Application."

Planning Considerations

Design and Heritage Impact

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are

sympathetic to local character. Likewise, Policy 2 of the SELLP, states 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 Conservation Officer has raised no objections to the submitted proposal. The colour palette is muted and without internal illuminations, ensuring there is no damage to the integrity of the conservation area. The proposal therefore conforms to Policy 29 of the SELLP.

The design of the proposal would be in keeping with and expected within its town centre location. The design is akin to many seen throughout the area, ensuring it does not appear incongruous. The Policy therefore conforms to Policy 2 of the SELLP.

As there is no internal illumination proposed and the colour palette is muted, it is anticipated that there would be no amenity impact as a result of the proposal. The proposal therefore conforms to Policies 2 and 3 of the SELLP.

Supporting Spalding Town Centre

The site is labelled as primary shop frontage within the insert maps of the SELLP. As such, Policies 25 and 26 are applicable to any development.

Policy 25 states in sections 2 and 3 that the Council will support the viability of Spalding town centre through the preserving the significance of heritage assets and through improvements to the public space, accessibility, and signage.

Naturally, the addition of signage to the site conforms to section 3. In addition, the clear legibility of the signage will help make the unit more accessible to those with visual impairment. There will be no impact upon the integrity of the conservation area, ensuring the proposal conforms to Policy 25.

Policy 26 further reiterates that proposals that support the viability of the town centre should be supported.

The proposal therefore conforms to and is supported by Policies 25 and 26 of the SELLP.

Highway Safety

The relevant consultee from the Highways department have raised no objections, stating that the works will not impact highway safety. In addition, the area sees an extremely low volume of traffic, further lowering the potential impacts.

The proposal conforms to the relevant Policies on highway safety.

Planning Balance

The Conservation Officer has raised no objections to the proposal, stating that the works will be in keeping with the character of the area and will not damage the integrity of the conservation area.

The relevant consultee from the Highways department have also raised no objections, stating that the works will have no impact upon highway safety.

The works would appear well blended within the area. The design is typical of what one would expect in a town centre location and will therefore not appear out of place. The proposal would aid in supporting the viability of the store and the wider town centre.

The proposal conforms to Policies 2, 3 and 29 of the SELLP and therefore the planning balance is in favour of the proposal.

Conclusion

The recommendation is for delegated approval.

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.