DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0503-19**	**Applicant:**	**Rush Hour Escape Rooms Ltd**
Proposal:	Proposed signage		
Location:	3b Red Lion Street Spalding Lincs		
Terminal Date:	11th August 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Section 16.
Para 132 in Section 12

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The site is a historic building in the heart of Spalding's town centre and retail area although it is outside of the Primary Shopping Frontages.

It is proposed to install signage to advertise a new business within the host building.

The signage has been amended following negotiations.

High up next to the door (not above the door) will be the main signage, this will be a high quality print set on a timber backing, which is suitable for the building.

Next to the door will be a small foamex board with contact details on, roughly 30cm X 20cm. It will be similar to the one on the exterior of the building that Riverside Training had when they occupied the offices.

The amended proposed signage is appropriate and considering the existing signage on neighbouring buildings supporting other businesses this is in keeping with the style and materials in the area.

Site Description

The application site is an attractive historic building set in a row of properties just set off the corner of Red Lion Street near the Red Lion Hotel which is Grade II Listed.

The site is surrounded on all sides by commercial activities and is enclosed by buildings in commercial use to the rear.

The site location falls within;

- the defined settlement limits of Spalding
- Spalding Conservation Area
- Spalding Town Centre

but is not within the Primary Shopping Frontage.

The premises are currently a vacant B1 set of offices. Red Lion Street is a semi-pedestrian road linking New Road and Hall Place. The locality is the Town Centre but is not primary shopping frontage.

History

H16-0502-19:
APPROVED 3b Red Lion Street, Spalding - Change of use from B1 (offices) to D2 (assembly and leisure)

Consultation Responses

Lincolnshire County Council SUDs (Highways):
Do not wish to restrict the grant of planning permission.

Planning Considerations

South East Lincolnshire Local Plan - Adopted: March 2019
Policy 01 Spatial Strategy
Policy 02 Development Management
Policy 03 Design of New Development
Policy 29 The Historic Environment

Key Policy:

Policy 29: The Historic Environment

Policy 29 states that "Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced"

Policy 29 goes on to say;

"B. Conservation Areas

Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the

area's character, appearance and setting. Proposals should:

2. Retain architectural details that contribute to the character and appearance of the area."

This is in a sensitive part of the Conservation Area where most signage, and certainly the better signage, which this should seek to match is;

- Timber with a hand painted sign or;
- Single fret cut letters on a timber background and either non-illuminated or lit by swan-lights ideally.

Large, inappropriate modern signage would not be appropriate on this site.

Following negotiations these proposals conserve the distinctive qualities of the Conservation Area and are compliant with Policy 29.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), Feb 2019

Paragraph 11 - The presumption in favour of sustainable development
Section 16 - Conserving and enhancing the historic environment

Conclusion

The proposals are acceptable in all regards and should be APPROVED.

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.