DECISION DELEGATED TO DEVELOPMENT MANAGER

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Application No:	**H16-0730-19**	**Applicant:**	**Star Pubs**
Proposal:	Installation of replacement illuminated and non illuminated signs to the exterior of the building - re-submission of H16-0335-19.		
Location:	The Black Swan Public House 12 New Road Spalding		
Terminal Date:	23rd September 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 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal is for the installation of replacement illuminated and non-illuminated signs to the exterior of the building.

The proposals include several features, the main of which being the addition of a new set of

individual 10mm thick raised letters at a first floor level (3.7m off the ground), above the door, the sum of which would read 'The Black Swan' and would measure 1.7m x 1.2m in size. This sign would be illuminated by means of the proposed above down casting lights.

In addition, the applicant proposes multiple further signage installations, these include; an alluminium 'Black Swan' branded swing sign (0.85m x 1.2m) to be illuminated by fluorescent lamps mounted in the Linolite swing sign mounting; a set of signwritten letters reading "ALES WINES SPIRITS" to be signwritten at a height of 0.9m above the floor; A set of signwritten letters reading " ALES . WINES . SPIRITS. ENTERTAINMENT" with a collective size of 9.2m x 0.17m to be positioned at a height of 6m above ground level; A 1.3m x 1m chalkboard to be mounted 1m above ground level; A 0.45m x 0.595m poster case mounted 1.2m above ground level, and a 0.21m x 0.297m menu case to be mounted 1.4m above ground level.

Lastly, the proposals include a number of lighting additions to the frontage of the property. These are a set of two aluminium, bronze powder coated lanterns mounted 2.2m above ground level and either side of the front door, and a set of 5 low energy LED downcasting flood lights mounted in a horizontal line 5.4m above ground level, for the purpose of providing illumination to the front elevation of the property and, therefore, the associated signage.

Site Description

The Black Swan Public House is itself a Grade II listed building and has been in Long-term use as a Public House. It sits directly adjoined to another Grade II listed building, which is a separate commercial premises, but looks to have been constructed as part of the same building as the Black Swan, which has since been separated off.

The site sits near to a number of other Grade II listed sites such as Nos. 3 to 5 New Road, and the Punch Bowl Public House, to which it is on the opposite side of the road.

The area itself is a significant element of the Spalding Conservation Area (SCA). This is because it forms a part of the Spalding Town Centre and is one of the primary shopping/commercial/entertainment areas of the town. Moreover, New Road is a primary thoroughfare into the town and is therefore significant to impressions of the character of the town.

History

H16-0334-19
Installation of replacement illuminated and non-illuminated signs to exterior of the building. REFUSED on 14/05/19

H16-0035-19
Installation of replacement illuminated and non-illuminated signs to exterior of the building. REFUSED on 14/05/19

H16-0438-14
Proposed Signage. APPROVED on 02/07/14

H16-0439-14
Proposed signage. APPROVED on 02/07/14

H16-0211-14
Stabilising chimney stack, chevron bracing to roof structure, repointing of chimney stack and fillet to roof covering. APPROVED on 06/05/14

H16-0161-08
Details of floodlights, revised details of Sign C and backing panel to Sign A, Constructional details and samples of colours (Conditions 2, 3, 4, 5 & 6 of H16/1394/07). APPROVED on 18/04/08.

H16-0162-18
Details of floodlights, revised details of Sign C and backing panel to Sign A, Constructional details and samples of colours (Conditions 2, 3, 4, 5 & 6 of H16/1394/07). APPROVED on 18/04/08.

H16-1394-07
Various signage. APPROVED on 21/12/07.

H16-1395-07
Various signage. APPROVED on 21/12/07.

H16-0511-07
Internal alterations and refurbishment, formation of new disabled toilet facilities, formation of new raised external decking and associated external works. APPROVED on 19/07/07.

H16-0512-07
Formation of new disabled toilet facilities, new raised external decking and associated external works. APPROVED 13/06/07.

H16-0361-99
Siting of various signs. APPROVED on 21/05/99

Replacement of hardwood window (shop front) by PVC frame and toughened glass. REFUSED on 19/09/94.

H16-0959-19
Proposed alterations and extensions. APPROVED on 05/12/86.

Consultation Responses

None received.

Planning Considerations

Heritage Impact

The Local Planning authority does not deem that the proposals will cause any significant negative impact upon the significance of the Spalding Conservation Area, The Listing of the Black Swan Public House or the listing of the various nearby Heritage Assets.

The applicant has proposed the use of traditional materials throughout, including raised aluminium lettering and signwritten text as well as period/sympathetic looking light fittings and swingsign. Numerous nearby historic public houses and otherwise commercial units use very similar fittings and therefore the proposals cannot be deemed to be out of character in the SCA.

Additionally, in relation to the impact upon the significance of the listing, it is considered that the proposals are an improvement to the overall look of the Black Swan Public House. The use of simple fonts, and a sympathetic black and white colour scheme which is much improved over that which was proposed under application H16-0334-19, are deemed to be sympathetic to the building and will be more understated than the current large, black backed sign. The building already features a swing sign, the proposed is simply a replacement with an updated graphic. The same can be said of the proposed chalk board - the site already features a number of chalk boards, and the reduction to just 1 will act to 'de-clutter' the frontage of the building.

The proposals also include to provide down casting illumination to the frontage of the site. This cannot be deemed to be out of character for the site, as the area is characterised by commercial units and drinking establishments, most of which feature elements of front illumination. Additionally, the Black Swan currently features illumination to the signage. It is not thought that the proposed new illumination will be a significant change over that which is currently in place.

It is felt that by tidying up the front elevation of the Black Swan, the effect will be uplifting to the character of the building and that of the nearby area and therefore, the SCA as a whole.

For the reasons listed above, the proposals must be considered to help towards preserving and enhancing the qualities of the Black Swan Public House, the SCA and other nearby listed properties.

Design and Layout

The Local Planning Authority seeks no amendment to the design or layout of the proposals. All of the proposed signage is of an appropriate style and design and has been planned in such a way

that it should not represent a overcrowding of signage on the frontage, therefore avoiding an over-proliferation of advertisement in the area and on the site.

The proposed illumination seems to be modest in scale and appropriate to the design of the building and the local area. Several nearby commercial and drinking establishments also feature frontage illumination ad the proposals do not appear to represent a significant change from the illumination which is already featured on the Black Swan

For the above reasons it must be deemed that the proposals' Design and Layout are acceptable and therefore are in keeping with Section 12 of the National Planning Policy Framework (2019) as well as Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019)

Conclusion

For the reasons listed above it is determined that the proposals are compliant with policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) and Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore this application is recommended for 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.