DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0107-23**	**Applicant:**	**Persimmon Homes East Midlands**
Proposal:	Illuminated Signage for Show Home - Retrospective		
Location:	Land North Of High Road Weston Spalding		
Terminal Date:	4th April 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
RESIDENTS	3	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is to seek retrospective advertisement consent for illuminated signage for the Show Home and garage at the Land North of High Road, Weston.

Site Description

The site is situated to the north of High Road, within the settlement boundary of Weston accord to Policy 1 in the South East Lincolnshire Local Plan, 2019.

The site is currently a residential site under construction, with the show home in question along the main road, to be one of the few dwellings to be built at the site.

To the south of High Road is characterised by predominantly residential development, varying in ages and designs.

History

H22-0101-16- Outline- Approved on 23-07-18- Residential Development.

H22-1135-20- Full- Refused on 10-09-21- Residential development for the erection of 150 dwellings and associated open space and infrastructure.

H22-1249-21- Full- Approved on 24-03-22- Residential development for the erection of 150 dwellings and associated open space and infrastructure - re-submission of H22-1135-20.

Consultation Responses

Public comment (3 Objections)

- Direct effect on light pollution.
- Unnecessary for illuminated signage in a small village.
- Unnecessary electricity usage.

Local Highway and Lead Local Flood Authority

No objection.

The illuminated signs are sufficiently distanced from the public highway for no distraction or glare to be caused to drivers so no objection to the grant of Consent for this Application is raised by the highway authority.

Planning Considerations

The policy considerations relevant to this advertisement consent application are as below.

Paragraph 132 of the National Planning Policy Framework (2019) states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy 2 (Development Management) of the South East Lincolnshire Local Plan (2019) (SELLP) sets out the expectation that new development should reflect the principles of good design.

Policy 3 (Design of New Development) of the SELLP requires development proposals to demonstrate how the following issues will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
6. the lighting of public places;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;

Policy 30 (Pollution) of the SELLP states that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:

1. health and safety of the public;
2. the amenities of the area; or

3. the natural, historic and built environment; by way of:
6. light levels

Highway safety

The Highway Authority have raised no objections to the proposed signage and, as such, it is not considered that it would create a highway safety issue.

Amenity

The site is located within a residential area, however, the residential development to the north of High Road is currently under construction and therefore, there are no residents within close proximity to the signage. The dwellings situated to the south of High Road are considered to be a sufficient distance from the illuminated signage. The show home signage measures approx. 1180mm by 3555m and will be approx. 4.5m from the ground. The illuminated signage on the garage of the show home measures approx. 1175mm by 2975mm. Furthermore, against the backdrop of a construction site for residential development, it would not likely have a material visual amenity impact. There are no residential properties close by to be impacted.

Planning Balance

The proposed signage would relate to the business and is acceptable on amenity and highway/public safety grounds. There are no issues that outweigh factors in favour of the proposal.

The proposal is considered to be in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019, as well as relevant guidance in the National Planning Policy Framework, 2019.

Conclusion

The recommendation is therefore that consent be granted.

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.