

Development Management Delegated Decision Report

B/23/0442



SUMMARY OF APPLICATION				
Application Reference	B/23/0442			
Application Type	Advertisement Consent			
Proposal	Advertisement Consent for 1no internally illuminated fascia sign			
Location	The Moon Under Water, 6 High Street, Boston, PE21 8SH			
Applicant	JD Wetherspoon			
Agent	Miss Victoria Jackson, S R Signs			
Received Date:	14-Dec-2023	Consultation / Publicity Expiry Date:	31-Jan-2024	
Valid Date:	04-Jan-2024	Statutory Expiry Date:	29-Feb-2024	
Date of Site Visit:	23-Jan-2024	Extension of Time Date:		
Objections received?	No			
5 day notification record:				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation (delete as appropriate)	Approve with Conditions			
Report by:	Ian Carrington			
Date:	05-Apr-2024			



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is a non-listed public house located within a prominent position in the town centre, adjacent to the listed town bridge and within the Boston Conservation Area. The main part of the building is three storeys, of red brick construction with a rendered gable end and a pitched slate roof. The building is of 20th century origin with later 20th century additions including a relatively modern conservatory with outdoor terrace on the north-west elevation. The main elevation fronts onto High Street and the rear elevation backs onto The Haven and faces the Exchange Buildings (36-39 Market Place) which are Grade II* listed buildings located on the opposite side of the river.

DETAILS OF PROPOSAL:

Advertisement Consent for 1 no internally illuminated fascia sign in accordance with amended colour details received by the LPA on 11-Jan-2024 and further signage details received by the LPA on 11-Jan-2024 and 24-Jan-24

RELEVANT HISTORY:

B/21/0497 – approved demolition of existing conservatory and the erection of a part two-storey and part three-storey extension in its place to include a roof top garden at second floor level, the erection of a first-floor gable extension and the erection of a single storey extension to the existing kitchen plus associated internal and external alterations. This consent has not as yet been implemented.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan 2019

Policy 3 – Design of New Development
Policy 29 – The Historic Environment

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

National Planning Policy Framework (2023) (NPPF)

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

LCC Highways/SUDS – no objections

Conservation Advisor - supports

THIRD PARTY REPRESENTATIONS RECEIVED:

None received

EVALUATION:

Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 the criteria for the determining of advertising consent applications are restricted to matters of amenity and public safety. 'Amenity' includes visual amenity, and hence the impact of a proposal on the character of its location including on heritage assets and their settings.

In addition to the Act, policies 3 and 29 of the Local Plan are therefore relevant in this case as is paragraph 141 of the Framework which states:

The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Whilst the application building itself is not listed, it is within the settings of numerous listed buildings and is prominently situated in the Boston Conservation Area. The application is supported by a Historic Environment Assessment & Evaluation. As the conservation advisor points out, in this sensitive location special attention must be given to the desirability of preserving the setting of listed buildings and preserving or enhancing the appearance and character of the conservation area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



Application site (old wall signage removed)

The proposal would see individually cut halo illuminated aluminium lettering replacing existing signage on the north west side elevation, which would be repainted blue from the existing white. Three subsidiary hanging bracket pub signs maintain the blue colour theme.

Regarding the main signage, the conservation advisor notes: 'Fret cut lettering with back lit halo lighting is generally what is proposed within a CA where businesses wish to have lit up advertisements. They are considered to be low impact and to preserve the character of the Conservation Area as per Section 72 of the Act. As this is what has been proposed, I support the application in principle'. This aspect of the scheme is considered to be an improvement on the existing, and to successfully preserve and enhance the character of the Conservation Area and the settings of nearby heritage assets. The bracket signs are similarly acceptable.

In terms of public safety, none of the signage will be positioned at a height where it would be publicly accessible and LCC Highways has confirmed that the proposal poses no threat to highway safety.

CONCLUSION:

The proposed signage package will enhance the appearance of the building and will respect the settings of nearby designated heritage assets and the character of the Boston Conservation Area. There will be no adverse impacts on public safety.

RECOMMENDATION: Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?	No	Agreed with applicant/agent - Date:	
1	<p>(a) All advertisements displayed and any land used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority;</p> <p>(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.</p> <p>(c) Where any advertisement is required under the Regulations to be removed, the removals shall be carried out to the reasonable satisfaction of the Local Planning Authority;</p> <p>(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.</p> <p>(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).</p> <p>(f) This consent shall be for a period of five years.</p>		

	As required by the Town and Country Planning (Control of Advertisements) Regulations 2007.
2	<p>The development hereby permitted shall only be undertaken in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> ▪ Drawing No. 22058-SCHEME4 KB Proposed signage received by the LPA on 11-Jan-2024 ▪ Drawing No. JDW.23.01.24. 22058-PLANNING 3 -DD Signage Specification and Colours received by the LPA on 24-Jan-2024 ▪ Email dated 11-Jan-2024 confirming the blue building colour to be reference Dulux Trade 90BG17120 Pebble Drift <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).</p>

**INFORMATIVES / NOTES
TO BE INCLUDED ON/WITH DECISION NOTICE**

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.