

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-1053-24 **Applicant:** Natwest
Proposal: Proposed advertisement panel above ATM machine
Location: 25 Market Place Long Sutton Spalding
Terminal Date: 7th February 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
28 The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well designed places
Section 16 - Conserving and enhancing the historic environment

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
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Reason for Chairman's Panel

The proposal relates to works within a town centre location.

Proposal

This application seeks advertisement consent for the erection of a proposed advertisement panel above an existing ATM Machine at 25 Market Place, Long Sutton.

The signage measures 0.176m (height) by 0.491m (width), with a depth of 0.01m. The sign is positioned 1.58m, from the ground to the base adjacent to the main entrance surrounding an existing automated teller. The sign is constructed from vinyl, displaying 'Get Cash Here' in white gloss lettering on a PMS 7678 satin body.

Site Description

The site is within the settlement boundary of Long Sutton as outlined within the South East Lincolnshire Local Plan, 2019 (SELLP). The site is within the market place of Long Sutton and is within the defined 'Primary Shopping Area'. It is centrally located within the Conservation Area, with a 'K6 Telephone Kiosk' and 'The Pump' on either side, both Grade II listed. The Church of St Mary is also set to the rear of this site.

History

H11-0069-88 - Construction of new bank - Approved

H11-0340-93 - One projecting sign - Approved

H11-0921-93 - Installation of servicetill - Approved

H11-0922-93 - Installation of servicetill - Approved

H11-1050-93 - Replacement of existing doors and fit new letter plate - Approved

H11-1051-93 - Removal of existing lettering and logo. Erection of new fascia and projecting logo - Withdrawn

H11-1074-93 - Erection of new fascia and projecting logo sign - Approved

H11-0144-94 - Erection of new individual non-illuminated fascia sign, refixing of logo sign - Approved

H11-1069-96 - Install part illuminated double sided pod unit to the underside of existing projecting sign - Approved

H11-0708-15 - Proposed works to form a secure ATM room including new access door, upgrading ATM and construction of internal secure servicing - Approved

H11-0252-17 - Change of use from A2 Class to A3 Class - Approved

H11-0001-20 - Proposed Signage - Approved

H11-0033-20 - Change of use from A3 to A1 (Retrospective)- Approved

Consultation Responses

South Holland District Council Conservation Officer

No objections.

Typically, internally illuminated signage is not permissible within priority conservation area locations such as this. However, we have typically held that the fairings surrounding ATMs are acceptable due to the need for illumination around such a facility, and the inherent illumination already present with a screened device.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):

- Layout, Design and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Heritage Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above .

The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Planning Considerations

The proposal relates to the installation of an advertisement sign to an existing ATM. Para 141 of the National Planning Policy Framework (December 2024) 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".

Accordingly, the proposal has been assessed on the basis of potential impact on amenity and public safety. This proposal is considered to be acceptable in principle and in accordance with Policy 1 of the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, and Section 12 of the National Planning Policy Framework (December 2024), subject to assessment against site specific criteria. These include the impact of the proposal on visual amenities, impact on the character or appearance of the area and impact on the highway.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire Local Plan (2019) outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework (December 2024), in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the National Planning Policy Framework (December 2024) and require 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.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The size of the advertisement, as outlined above, is considered to be acceptable due to its nature, purely in place to surround the ATM advertising its location and use. The incorporation of illumination makes it safer to access for residents also.

As the entrance to the shop is set back, with the ATM being set back within its frontage, the sign itself will be screened at most points from public view; therefore, reducing any potential material harm. There are multiple advertisements along Market Place, given the nature of the area, in this instance it is not considered to increase any harm. The scale is relatively small and positioned as to be well incorporated into the design of the building.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As the area is predominately commercial in use, in addition to the sign being mostly concealed, there is not considered to be any material harm to residential amenity in this instance. Naturally, there would be no overlooking or overshadowing.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Heritage Matters

The application site in this instance lies within a Conservation Area and lies nearby to numerous listed buildings, and can therefore be considered to be located within an area of heritage importance.

In respect of any buildings or other land in a Conservation Area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

In assessing proposals of this nature, the Local Planning Authority must ensure special regard to

preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2024). Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets, including archaeology, historic buildings, Conservation Areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.

The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (December 2024) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

The following assessment has been taken from a previous application at this site under H11-0001-20 *'The site's position within the LSCA is highly prominent, being in extreme adjacency to the Grade I listed St Mary's church and grade II listed pump and telephone kiosk, and being along the locally significant Market Street which is both one of the main thoroughfares through the town and also the primary shopping area of the town. All of these factors contribute towards making this location perhaps the most prominent within the LSCA, being one of, if not, the most significant community focal points in the town.'*

The host property itself is not of any historic or architectural merit, being a fairly unremarkable late C20th former bank, built of brick with timber frame windows, and a slate tile mansard roof.

It is therefore considered that the site is prominent within the Conservation Area itself. Due to its location, South Holland District Council's Conservation Officer was consulted, their comments raised no objections, but outlined the following: *'Typically, internally illuminated signage is not permissible within priority conservation area locations such as this. However, we have typically held that the fairings surrounding ATMs are acceptable due to the need for illumination around such a facility, and the inherent illumination already present with a screened device'.*

Whilst illumination of this nature is not typically viewed favourably in such setting, the context of this proposal, comprising illumination for advertisements to an ATM, which itself omits light, in addition to the modest nature of the advertisement, is such that the proposal is considered to be acceptable in this instance and would not result in harm to the significance of the assets, either the conservation area or nearby listed buildings.

The proposal is therefore considered to be acceptable and in accordance with Section 16 of the National Planning Policy Framework (December 2024) and Policy 29 of the South East Lincolnshire Local Plan (2019).

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The sign will mostly be concealed from view which would reduce the visual impact of the development, it should suit the area and particularly the shop itself, tying it in to the existing shop front.

The comments from the Conservation Officer have reaffirmed the view that the proposal should not have a harmful impact upon the character of the area. The proposal therefore confirms with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the works.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019), along with the identified sections contained within the National Planning Policy Framework (December 2024). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.