

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0063-24 **Applicant:** Nationwide Building Society

Proposal: Proposed Signage and ATM

Location: Nationwide Building Society 4 Hall Place Spalding

Terminal Date: 25th March 2024

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
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed and beautiful places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

The proposal seeks advertisement consent for replacement signage at 4 Hall Place, Spalding.

The advertisements proposed comprise five signs of varying scale. The proposal seeks to modernise the shop frontage as part of a wider rebranding exercise for Nationwide Building Society.

In respect of the advertisements:

A replacement projecting sign is proposed that would project 593mm from the shop frontage, at a height of 3001mm to the base. The sign would measure 500mm (height) by 86mm (width). It would feature a red Nationwide logo, constructed from acrylic, on a matt blue aluminium background. The sign would be internally illuminated.

A replacement fascia sign is proposed that would measure 5870mm (width) by 850mm (height). The base of the sign would be 2919mm above the ground. The materials would largely match the projecting sign, being comprised of a matt blue aluminium background with acrylic detailing. The sign would feature the red Nationwide logo, with white letter reading "nationwide" adjacent. This lettering would be internally illuminated, and measure 290mm in height.

Replacement ATM detailing is also proposed. This would measure 1530mm (height) by 852mm (width). The base would be at a height of 478mm. The signage would be acrylic with an aluminium frame. The colours would match the projecting sign. It is proposed that the signage would be internally illuminated.

Two window signs, both utilising frosted vinyl, internally applied to the windows are proposed. Both would be a pale white colour. The larger of the two would be located in the bottom right-hand corner (as looking from the street) and would measure 135mm (height) by 1766mm (width). The signage would read "A good way to bank". The second window sign would be located on the door and would be comprised of 50mm by 50mm circles dotted across the glass.

Site Description

The site is within the settlement boundary of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located within the town centre of Spalding, within the "primary shopping area" outlined within the Local Plan. Whilst not listed, the site is a prominent feature within Spalding's town centre. The immediate area is characterised by commercial properties of varying age and architectural design. It is within close proximity to several listed properties including the Grade II listed Lloyds Bank, as well as 11, 12 and 14 Market Place and the Grade II* Listed Red Lion Hotel.

Relevant History

H16-0969-19 - Advertisement. Proposed signage. Approved 21/11/19.

H16-0124-03 - Advertisement. Illuminated fascia and projecting signs (to replace existing). Approved 28/05/23.

Consultation Responses

The responses received from consultees during the initial consultation exercises, can be summarised as follows:

Conservation Officer

"I wish to raise no objections to this proposal. Typically, internally illuminated signage would not be considered to be acceptable in a conservation area setting. However, in this instance, the extant signage is internally illuminated and the same is similarly featured within this proposal. The 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".

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The adopted South-East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is 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 (December 2023) (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

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

Section 12 of the National Planning Policy Framework (December 2023), "Achieving well-designed and beautiful places", states 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 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture 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. 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 SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 2023) 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 proposal features a muted colour pallet, which is consistent with that of the wider area. The use of these muted colours reduces the visual impact of the development. All colours proposed are prevalent within the site and the wider area currently, further reducing the potential visual impact of the proposal.

The use of acrylic and aluminium is considered to be in keeping with the area. Spalding town centre heavily features these materials and so their addition here would not be out of place.

The use of illumination, while not commonplace within conservation areas, would not appear out of keeping. The existing signage is illuminated, and examples can be found within the wider Spalding town centre area, both of which would naturalise the proposal.

The proposal would not lead to an over proliferation of signage, with this proposal representing replacements rather than new additions.

Taking account of the design, scale, and nature of the advertisement, as detailed above, the proposal is considered to be acceptable. The proposal would not have an adverse impact on 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 2023).

Impacts Upon Residential Amenity

Paragraph 135 of the National Planning Policy Framework (December 2023) 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.

Policies 2 and 3 of the 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.

The proposal would have no significant impact upon residential amenity, particularly when the existing signage is considered. By virtue of its nature, the proposed advertisement would not increase overlooking or overshadow any property. The level of illumination proposed is lower than the existing signage, ensuring that the proposal would not have a significant impact upon residential units in the area.

As detailed above, the scale, design and illumination of the proposal is considered to have 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 Section 12 of the National Planning Policy Framework (December 2023) and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 115 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Due to the positioning of the signage within a low traffic area and the relatively low visual impact of the advertisement, it is considered that the proposal would not have an unacceptable impact upon highway safety.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the South East Lincolnshire Local Plan, as well as Section 9 of the National Planning Policy Framework (December 2023).

Heritage and Conservation

Policy 29 of the South East Lincolnshire Local Plan (2019), alongside Section 16 of the National Planning Policy Framework (December 2023), relates to the preservation of the historic environment. Both outline that all applications within the Conservation Area should preserve or enhance the setting locale.

In this regard, 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.

Furthermore, 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.

The National Planning Policy Framework (December 2023) 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 2023) 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".

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 2023). 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.

Whilst the site is within the Conservation Area, the building itself is not listed and is of fairly modern construction (circa 1986). The materials proposed are typical within the area and would not appear out of place within the Conservation Area. The use of muted colour pallet would further reduce the visual impact of development. The proposed signage is of a relatively modest scale and cannot be considered to be inappropriately sized for the site or the area at large.

Whilst the proposed signage is internally illuminated, which is generally not considered acceptable in Conservation Area settings, the signage which is extant at the site is already internally illuminated and so it can be said that this proposal makes no additional negative impacts, or introduces new provisions, that would impact upon the Conservation Area. Internal illumination has been present on the site since at least 2003, meaning its use has been well established on site. The use of internal illumination is not uncommon to this portion of the Conservation Area which already features several prominent illuminated signs and screens. The proposal would reduce the brightness of illumination on site, reducing the visual impact.

Overall, it is considered that the proposal would not result in harm to the Conservation Area, or cause harm to the nearby listed buildings by way of its potential impacts upon their setting.

For the above reasons it is considered that the proposal would conserve the historic environment and represents a marginal improvement over the existing signage. As such, the proposal accords with Policy 29 of the South East Lincolnshire Local Plan (2019), Section 16 of the National Planning Policy Framework (December 2023) and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Balance

As stated above, Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states local planning authorities shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material; and any other relevant factors.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst preserving the historic environment. The use of internal

illumination, while not commonplace in the Conservation Area, is considered acceptable in this instance due to its use already being well established on the site.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 2, 3, 29, 33 and 36 of the SELLP, as well as Sections 9, 12 and 16 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

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.

Recommendation

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