DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0198-20**	**Applicant:**	**Triton Property Fund**
Proposal:	Proposed installation of ATM		
Location:	Springfields Outlet Shopping & Leisure Camel Gate Spalding		
Terminal Date:	24th April 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
09	Promoting a Stronger Visitor Economy
24	The Retail Hierarchy
27	Additional Retail Provision

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework (2019)

6 - Building a strong, competitive economy
12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full application for the proposed installation of an automated teller machine (ATM) at Springfields Outlet Shopping & Leisure, Camel Gate. The proposal seeks to provide an ATM where a cleaners cupboard is sited between the disabled toilet and female toilet entrances.

The ATM measures 0.9 metres in height, 0.61 metres in width and is sited 0.68 metres above ground level.

Site Description

The proposal site is within defined settlement limits and the surrounding area is characterised by commercial building of a similar age and design.

History

H16-0136-20

Full - Proposed extension of Unit 40a and removal of existing ATM - Approved - 26 March 2020.

Consultation Responses

LCC - County Highways & SUDS Officer

No objection

Lincolnshire Police

Provides general ATM design guidance.

Planning Considerations

Principle of development

The site lends itself to the siting of an ATM as it remains on the frontage of the site.

Impact of development

There is not considered to be any material harm to site user amenity from the proposed ATM siting. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 7, 8, 9, 24 and 27 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.