



## Committee Report

**Planning Committee** - 9 June 2020

**Application no** DC/20/1275/FUL

**Location**

Council Offices  
1A Broad Street  
Bungay  
NR35 1EE

**Expiry date** 14 May 2020

**Application type** Full application

**Applicant** Cardtronics UK Ltd, Trading As CASHZONE

**Parish** Bungay

**Proposal** The installation of an Automated Teller Machine and Non-Illuminated logo panel

**Case Officer** Iain Robertson  
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### 1. Summary

- 1.1. The application seeks Planning Permission for the installation of an Automated Teller Machine (ATM) within the front façade of this Grade II listed building and is accompanied by an application for Listed Building Consent (Ref: DC/20/1050/LBC) and Advertisement Consent (Ref: DC/20/1276/ADN).
- 1.2. The proposal is considered to harm the significance of the designated heritage asset of the Grade II listed building and the Bungay Conservation Area due to the prominence and appearance of the modern equipment proposed, this harm is considered to be less than substantial in terms of the National Planning Policy Framework (NPPF).
- 1.3. However, recent bank closures in Bungay have resulted in the loss of many ATM's and there is currently no 24/7 access to an ATM with the Town Centre. The loss of such facilities has an adverse impact on the local economy, and it is therefore considered that

the harm to the Heritage Assets would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.

- 1.4. This application is before the Planning Committee as the building subject of this application is in the ownership of East Suffolk Council.

## **2. Site description**

- 2.1. Listed together with 10 Earsham Street, the application property is Grade II Listed; Historic England state that:

*"it is a good example of a late C18/ early C19 townhouse with an elegant stair; it has an opulently designed billiard room extension which is unusual for a town house of fairly modest size; the hand of the architect is apparent in every detail of the highly decorative treatment, creating a richly appointed and finely crafted billiard room of architectural distinction; the billiard room has survived with a remarkable degree of intactness. The house is located in the historic centre of Bungay and is surrounded by a large number of listed buildings with which it has strong group value, particularly 12 Earsham Street "*

- 2.2. This building is very prominent within the Conservation Area on the approach into Bungay along Broad Street. The building has some unusual features externally, particularly at first floor level, not least the cornice which is delicately dentilled and the wide plaster band below is decorated with elaborate strapwork incorporating figures and masks, and a narrow band of egg-and-dart.
- 2.3. The ground floor of this building has been altered in the 20th Century to provide the three windows and modern porch detail that can be seen today.

## **3. Proposal**

- 3.1. The proposal is for the installation of an Automated Teller Machine (ATM) and Non-Illuminated logo panel, location in the central window opening in the front façade of this building. The proposal would also require the lowering of the cill level of this window opening.

## **4. Consultations/comments**

- 4.1. Four representations of Support raising the following material planning considerations have been received:
  - Trade has fallen in the Town since the loss of the last bank and lack of 24/7 ATM is affecting local traders, it is not considered that the fact that this is an historic building should prevent its much-needed installation.
  - Essential to have an ATM - The grandeur of the first-floor element of this building will not be affected by this proposal.
  - At ground floor are not original openings, the window can be reinstated when the ATM is no longer required.

- Harm to the listed building should be outweighed by the benefit.

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Bungay Town Council	26 March 2020	31 March 2020
Summary of comments: I confirm that the Bungay Town Councillors of the Planning, Environment & Highways Committee have agreed to recommend Approval of this Planning Application DC/20/1050/LBC with the comment that the Councillors have a non - pecuniary interest as Bungay Town Council is involved with this application process and currently rent this building from ESC.		

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	30 March 2020	No response
Summary of comments: No comments received.		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Design and Conservation (Internal)	26 March 2020	6 April 2020
Summary of comments: Internal - Comments included in body of report.		

Consultee	Date consulted	Date reply received
Suffolk Preservation Society	N/A	28 April 2020
Summary of comments: Object - The proposal would cause serious harm to the architectural cohesion of the principle elevation. The highly ornate oriel window is a key decorative element and makes a strong contribution to the special interest of the heritage asset. The introduction of the ATM immediately below this feature, in the centre of the tripartite window, would appear incongruous and detract from the cohesion and architectural quality of this very attractive elevation. Furthermore, the lowering of the cill and alteration of the frame would involve a loss of historic fabric and be visually		

disruptive to the strong rhythm of the ground floor fenestration. The public benefit would not outweigh this harm.

## 5. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	3 April 2020	28 April 2020	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	3 April 2020	28 April 2020	Lowestoft Journal

## Site notices

General Site Notice	Reason for site notice: Conservation Area May Affect Archaeological Site Listed Building Date posted: 1 May 2020 Expiry date: 26 May 2020
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## 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that where in making any determination under the planning Acts, if regard is to be had to the development plan, then determination shall be made in accordance with the plan unless material considerations indicate otherwise.
- 6.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act (1990) states that in exercise of planning functions as respects listed buildings the local planning authority shall have *“special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”*. Section 72 states that with regard to Conservation Areas *“special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”*.
- 6.3. The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP8.29 – “Design”
  - WLP8.37 – “Historic Environment”
  - WLP8.39 – “Conservation Areas”
- 6.4. The National Planning Policy Framework (NPPF) (2019) and National Planning Policy Guidance (NPPG) are material considerations.

## 7. Planning considerations

### Heritage Impact

- 7.1. Policy WLP8.37 – “Historic Environment” requires that proposals for development should seek to conserve or enhance Heritage Assets and their settings.
- 7.2. The highly ornate oriel window at first floor level is a key decorative element of this building which makes a strong contribution to the special interest of the heritage asset. The proposed ATM would be located directly beneath it and would cause harm to the architectural cohesion of the principal elevation. In terms of the historic importance of the three ground floor windows it has been shown that these openings are 20th century additions.
- 7.3. This proposal to insert an ATM in the central window opening is deemed to cause less than substantial harm as set out in clause 196 of the NPPF, but this harm is considered to be high on that scale.
- 7.4. The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *"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"*.

### Justification and Public Benefit

- 7.5. Paragraph 194 states that *"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification"*.
- 7.6. In respect to this proposal it has been highlighted within the application and by supporters of this proposal that there are no longer any banks within Bungay which has resulted in the loss of 24/7 access to an ATM machine. This is having a significant impact on the traders and residents within the town due to the lack of facilities for the general public to access cash. The public benefit of the proposal is therefore considered to be very significant, particularly in the current Covid-19 situation where movement restrictions mean residents rely on access to local facilities to meet their day-to-day needs.
- 7.7. Paragraph 196 of the NPPF states that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*.
- 7.8. Whilst it could be argued that there may be a less harmful solution elsewhere within the Town centre, the options for such facilities in terms of owner consent will be limited; furthermore, the majority of the buildings in the centre of Bungay are listed buildings also, so finding a suitable building that is not of heritage value seems unlikely.

- 7.9. The harm to the significance of the heritage assets should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. In this case the significant public benefit of this proposal is considered to outweigh the harm identified and would meet the requirements of the NPPF and relevant Local Plan Policies. Due regard has been given to the requirements of section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **8. Conclusion**

- 8.1. The importance of providing a 24/7 ATM with Bungay cannot be underestimated. It is acknowledged that there would be harm to the heritage significance of the Listed building and the Conservation Area due to the impact of the proposal on the architectural cohesion of the principal elevation. However, the ground floor window openings are not original features of the building and the works would be reversible.
- 8.2. In terms of the NPPF the harm would be less than substantial, and, in this instance, it is considered that the harm would be outweighed by the significant public benefits of the proposal with the provision of an essential facility for the residents of Bungay.
- 8.3. Accordingly, it is recommended that the application is approved.

## **9. Recommendation**

- 9.1. Approve, subject to the following conditions:

## **10. Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing Proposed ATM Rev: 01 received 27 March 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

## **Informatives:**

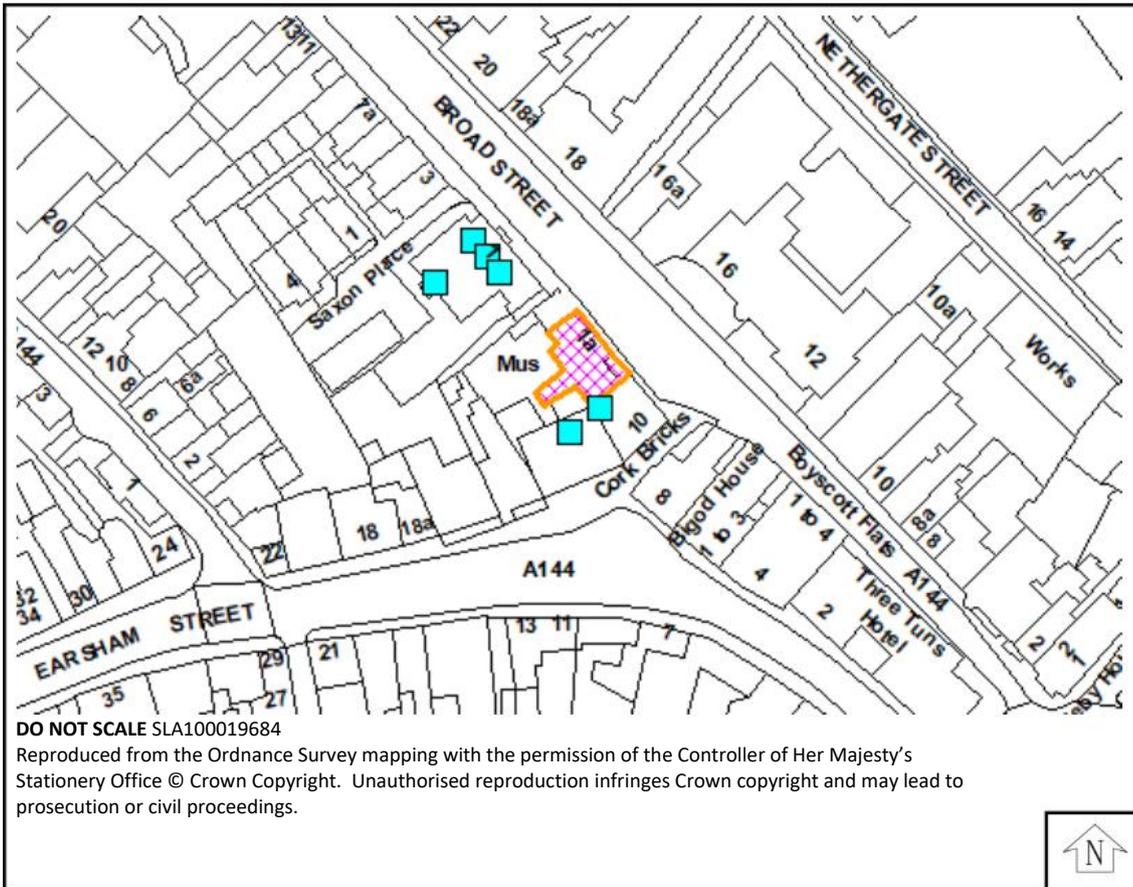
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning

Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

## Background Papers

See application reference DC/20/1050/LBC at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q60EZGQXI7100>

## Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support