

# PLANNING APPLICATION REPORT



**ITEM: 01**

**Application Number:** I4/00354/FUL

**Applicant:** Notemachine

**Description of Application:** Installation of ATM with illuminated fascia

**Type of Application:** Full Application

**Site Address:** 88 ORIENTAL SUPERMARKET, 21 THE PARADE  
PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 03/03/2014

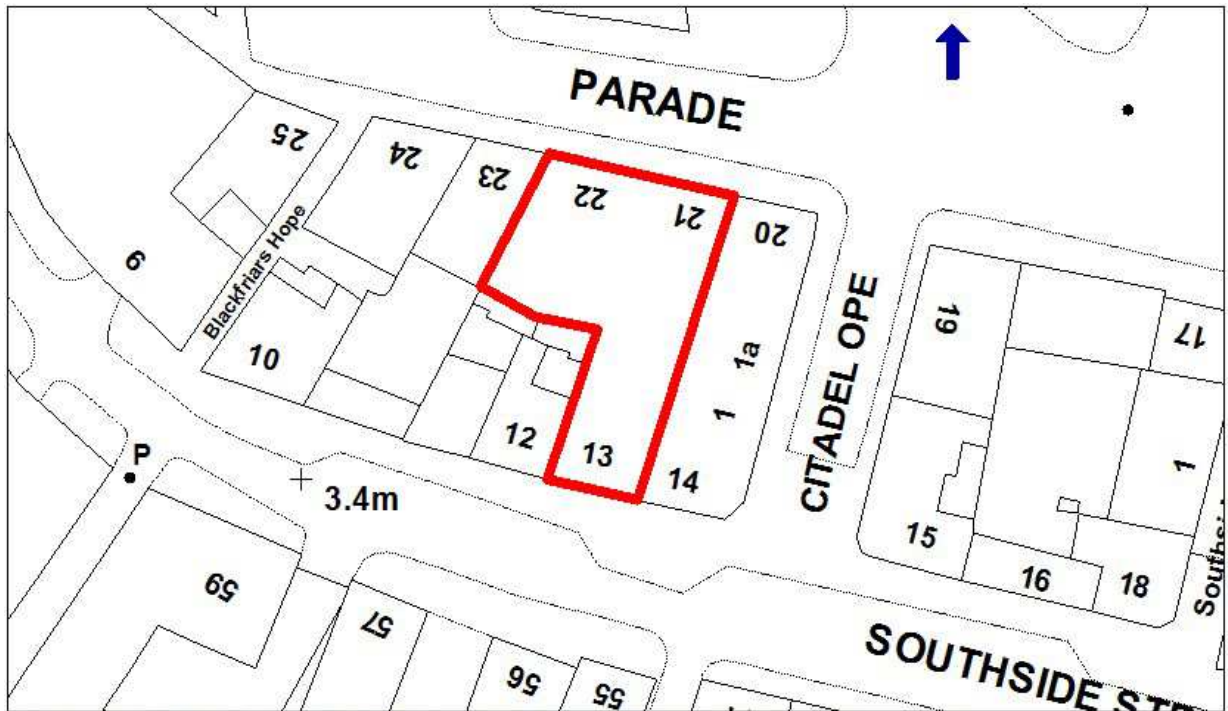
**8/13 Week Date:** **28/04/2014**

**Decision Category:** Member Referral

**Case Officer :** Katie Beesley

**Recommendation:** Grant Conditionally

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**This application has been referred to Planning Committee by Councillor Sue McDonald.**

### **Site Description**

The application proposes an ATM which is to be located within the shopfront of the Oriental Supermarket. The site is located within The Parade on the Barbican.

### **Proposal Description**

The application proposes the installation of an ATM with an illuminated fascia.

### **Pre-Application Enquiry**

None.

### **Relevant Planning History**

None.

### **Consultation Responses**

The Police Architectural Liaison Officer raised a number of issues with the proposed ATM including limited natural surveillance in the area, as well as poor lighting which combined could make it vulnerable for persons using the machine, and easy for criminals to illegally tamper with the ATM. The Police Architectural Liaison Officer suggested that these concerns could be overcome by conditions which require the applicant to install and maintain adequate CCTV and lighting in the area.

Highways Authority - No objections (verbal response)

### **Representations**

One representation was received from resident which objects to the proposal on the grounds of the potential for the proposal to contribute towards unacceptable noise, illegal parking and anti-social behaviour.

### **Analysis**

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.
3. The application turns upon policies CS02 (Design), Policy CS32 (Designing out crime), CS28 (Local Transport Considerations) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document (2010), and the National Planning Policy Framework. The key considerations are the visual impact of the ATM machine on the character and appearance of the area, the impact to residential amenity and the safety of users and pedestrians.

#### Impact on the character and appearance of the area

4. The site fronts onto one of the main traffic routes into the Barbican and is located within the Barbican Conservation Area. The application proposes an ATM fascia with a black bezel surround and white illuminated lettering. Following discussions with the agent, officers have secured amendments to the previous design which included blue halo illumination which was proposed on all sides of the ATM. This blue halo illumination was considered to be detrimental to the character and appearance of the conservation area. As amendments have been agreed and the drawings amended to exclude the blue halo illumination, the proposed design is now considered to be appropriate and compliant with Policy CS02 (Design) and Policy CS03 (Historic Environment).

#### Residential Amenity

5. The location upon which the ATM is proposed falls within the Barbican Local Centre as identified in Diagram 5 (Spatial Distribution of Shopping Provision) of the adopted Core Strategy. Local centres play a vital role and are not only places to shop, but provide a wide variety of services for communities. Objections have been raised by a resident relating to the potential for the proposal to cause noise and disruption to nearby residents. While these objections have been taken into account, it is the opinion of officers that the noise and disruption caused by the ATM is unlikely to be unreasonable in the proposed location given its role as a local centre and is therefore considered to be compliant with Policy CS34 of the Core Strategy.
6. Consideration has also been given to whether the ATM would have any unreasonable impact on the highway. Following consultation with the Highways Authority, officers were advised that any impact would be minimal, as the majority of visitors to this area of the Barbican tend to be pedestrians, and as such the proposal is considered to be compliant with Policy CS28 of the Core Strategy.

#### Public Safety

7. The Police Architectural Liaison Officer has raised a number of concerns related to the potential for crime and/or anti-social behaviour due to the limited natural surveillance at the site location. This is primarily due to the fact that the ATM would be opposite a blank elevation of a residential block. Lighting was also identified as a potential issue which could further give rise to the potential for crime or anti-social behaviour. To deal with the issues of reduced natural surveillance and lighting in the area, planning conditions have been recommended which require the installation of CCTV and lighting which should be maintained in full working order and operational throughout the use of the ATM. On this basis, the proposal is considered to be acceptable and does not conflict with the Core Strategy Policy CS32 (Designing out crime).

### **Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### **Local Finance Considerations**

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

### **Equalities and Diversities**

None.

### **Conclusions**

It is recommended that this planning application is **granted conditionally** for the reasons set out in this report.

### **Recommendation**

In respect of the application dated **03/03/2014** and the submitted drawings Site location Plan (21 the Parade), Plan dated 11/12/2012 Revision B (Blue Halo Illumination removed), NM-01-2014-34, it is recommended to: **Grant Conditionally**

### **Conditions**

#### **DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

#### **APPROVED PLANS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: [insert plan numbers].

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

#### LIGHTING AND CCTV DETAILS

(3) No development shall take place until details of lighting and CCTV have been submitted to and approved in writing by the Local Planning Authority. The lighting and CCTV shall be fully implemented before the ATM is first brought into use and shall be henceforth permanently maintained and operational.

#### Reason:

To ensure that adequate external lighting and surveillance is provided for future users of the ATM in accordance with policy CS32 (Designing out crime) and CS34 (Planning Application Considerations) of the Plymouth Local Development Framework Core Strategy (3) 2007, and paragraph 125 of the National Planning Policy Framework 2012.

#### INFORMATIVE: (1) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

#### INFORMATIVE: CONDITIONAL APPROVAL (2)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.